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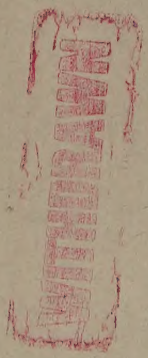

THE SCIENCE OF ETHICS

THE SCIENCE OF ETHICS

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VOLUME I

GENERAL ETHICS

DUBLIN AND WATERFORD
M. H. GILL AND SON, LTD.

NEW YORK, CINCINNATI, CHICAGO
BENZIGER BROTHERS

1909

241.
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M H. GILL AND SON, LTD., DUBLIN AND WATERFORD

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PREFACE

THE main *purpose* of this work on Ethics is to present to Students of Ethical Science a full and connected account of the ethical system of Aristotle and St. Thomas Aquinas. To this system the author gives his fullest assent and adherence, an adherence which is no mere blind acceptance of a tradition, but comes of a conviction, which has grown stronger and clearer with time and study, that the Aristotelian and Scholastic system is the only true Ethical system, that it is unrivalled by any other theory, and that it will survive every other theory.

Whilst, however, devoting most of his time and labour to the understanding and interpretation of the works in which this system is expounded, the author has not neglected to study the great modern theories of Ethics, and for much that is of value and true in this work he is indebted to these modern systems. The account and criticism of them which is given here will, it is hoped, be read with profit and interest by the student.

It has been the author's honest endeavour to be just to his opponents wherever he has had occasion to refer to them. He hopes that he has not misrepresented their views in any way, or stated them inadequately. Where possible, he has always had recourse to original sources in describing other writers' systems, or stating the arguments used in their defence; and when, through want of space, it was necessary to omit some of these arguments, he has invariably omitted just those on which his opponents appeared to lay least stress in their expositions.

The *plan* of the work is easily understood. Vol. I treats of the general principles of Ethics, or of "General Ethics"; Vol. II treats of "Special Ethics," or of the

application of the general moral principles to special cases. The opening chapter naturally concerns the definition of Ethics, its method, and its possibility as a science. Following the definition given in the opening chapter—namely, "the science of human conduct as directed by Reason to the last end," or "the science of moral good," the author, in his second chapter, treats of human conduct, its meaning, and the elements that make it human; and in the third chapter he gives an account of the last end. Chapter IV considers these two ideas taken together—that is, "human conduct as directed to the last end," or what, in the second definition just given, is called "the moral good." Chapter V assigns the criteria of moral good. Then follows a discussion of three most important questions concerning the moral good—namely, its relation to freedom (Chapters VI and VII), whether the "good" *ought* to be done—a dissertation on duty—(Chapter VIII), and whether it ought to be done for the sake of duty (Chapter IX). Chapters X, XI, XII, and XIII are a discussion of three great modern theories on the nature of goodness,—namely, Hedonism, Utilitarianism, and Evolutionist Ethics. To the consideration of this latter theory the author has devoted two distinct chapters. In Chapter XIV the question is raised by what faculty we know the good, and in Chapter XV whether it is known by intuition (that is, without reasoning), or by a process of reasoning and study. Chapter XVI considers the question whether the first principles of good action are known to all, and whether the knowledge of them can be lost or impaired. The only two remaining questions which suggest themselves concerning morality or the "good" are treated in Chapters XVII and XVIII—namely, the question of the consequences of morality, and of the means whereby morality is attained and nurtured—namely, the virtues. All these chapters from IV to XVIII relate evidently to the "moral good" in one way or another. Now, the fifth chapter, as has been pointed out, is a discussion on duty, but the ground of duty, which is Law, requires

also distinct mention. It is treated in Chapter XIX. Chapter XX concerns another consequence of Law—namely, Right. These comprise all the subjects usually treated under the heading "General Ethics." The order of the chapters on "Special Ethics" will be given in a short prefatory note to the second volume.

Of modern Scholastic writers the author is most indebted to Professors Meyer and Cathrein, to Rev. Joseph Rickaby, Taparelli, Schiffini, and Rev. Dr. Walter McDonald, Maynooth College, whose treatises on Ethics have been of immense help to him in the preparation of his work. His most grateful thanks are due to the Rev. John Waters, B.A., of Clonliffe College, for his kindness in reading this book, and for very many valuable criticisms and suggestions. Father Waters' wide and minute acquaintance with the writings of St. Thomas Aquinas was always at the author's disposal in the difficult task of discovering and comparing the various references made by St. Thomas to any special Ethical question, references often occurring in places very wide apart, and under unpromising titles—titles apparently outside the subject under discussion. Thanks are also due to those gentlemen who so kindly undertook the tedious and uninteresting task of proof-reading, and to many others also for help given of various kinds.

It is the present writer's earnest hope that others more competent than he will take up this work of making known to the world the secret treasures of a great Philosophy—a Philosophy which moderns have too much and too long neglected. Already, of course, there are many labourers in the field. But there is room for many more. It is in the hope of helping a little towards the accomplishment of this great task that the author ventures to publish this work on Ethics—not without consciousness of its many defects.

Clonliffe College,
Feast of St. Thomas Aquinas,
March 7th, 1909.

CONTENTS

CHAPTER I

DEFINITION AND SCOPE OF ETHICS (pp. 1–29)— PAGE

Definition 1
Scope 5
Ethics and some other Sciences—
Psychology 8
Political Philosophy 11
Moral Theology 13
Method of Ethics—
The various possible methods 15
The true method 21
Possibility of the Science of Ethics . . . 23
Objections 23

CHAPTER II

OF HUMAN ACTS (pp. 30–46)—

Division of human acts 30
Of what makes an act human 33
Of voluntariness in particular 34
Kinds of voluntariness 35
Of indirect voluntariness 37
Of what makes an act less human 41
Ignorance 41
Violence 43
Passion 43

CHAPTER III

Of the Ends of Human Action (pp. 47–86)— PAGE

Of ends in general 47
The ultimate end 53
The objective ultimate end 54
That it can be determined by Reason . . 54
It does not consist in finite external goods . 56
,, ,, bodily health or life . 57
,, ,, pleasure (sensuous or intellectual) . . 58
,, ,, a state of the soul, *e.g.*— self-realisation 62; holiness or perfection . 66; knowledge . 67; culture . . 68
,, ,, adjustment to environment . . . 69
It consists in the Infinite Uncreated Good . 69
The objective final end a reality . . . 71
The subjective final end 78
It consists in an act 79
,, ,, of intellect . . . 79
Consideration of rival theories on this point
(Paulsen) 80
(Simmel) 81
(Schopenhauer) 81
It does not require the exercise of all the faculties 82
The subjective end of man really attainable . 84

CHAPTER IV

Of 'Good' and 'Evil' (pp. 87-119)—
Meaning of 'good' 87
'Good' is object of appetite 87
'Good' and being are one 89

Of 'Good', and 'Evil'—*continued*
Meaning of 'good'—*continued* PAGE
'Good' an attribute of reality . . . 90
'Good' is fulness of being 91
'Good' or fulness of being of the human act depends upon the end 93
'Good' determined by final end . . . 94
Of the determinants of Good 94
Are all acts good or bad, or are there any indifferent acts? 97
That there is a natural distinction of 'good' and 'evil' 101
Consideration of Positivist theories, or of theories which deny natural distinctions—Hobbes, Rousseau, Carneades, Nietzsche, Paulsen, Occam and Puffendorff 110
Theory of extrinsic morality 116
,, independent morality 118

CHAPTER V

The Moral Criteria (pp. 120-168)—
Meaning of Criterion 120
Division of Criteria 121
Need of a Criterion in Ethics 122
The primary or fundamental Ethical Criterion . 123
Conditions of 123
The criterion determined 125
,, applied 129
The secondary or derivative criteria—
General injury with general observance . . 135
(Note on Ethical Optimism)
Common human convictions 147
The moral feelings 149
Some general remarks on the criteria . . . 151
Some difficulties against the system of Natural Morals considered 154

CHAPTER VI

FREEDOM AND MORALITY (pp. 169-188)— PAGE
Meaning of freedom 169
View of Wundt 173
,, Calderwood 173
,, Hamilton and Kant 173
,, Reid 174
Wundt's view of the Scholastic definition . . 174
Ed. von Hartmann's view of freedom . . 174
Ground of freedom 174
Extent of freedom 178
Freedom and the law of Conservation of Energy . 180
Consequence of freedom 182
Kantian theory of freedom 183
Hegelian theory of freedom 185

CHAPTER VII

FREEDOM AND MORALITY (pp. 189-202)—
Necessity of freedom for morality 189
for moral distinctions 190
,, obligation 191
for imputability and punishment . . , 194
Leslie Stephen's view of freedom and punishment 195
Butler's view of freedom and punishment . 197
The practical bearing of this question of the relation of freedom to morals 198
Kant's theory that freedom and morality are one . 201

CHAPTER VIII

OF DUTY (pp. 203-244)—
The problem explained 203
Proof of duty 205
The absolute character of duty 210

OF DUTY—*continued* PAGE

Some statements of philosophers confirmatory of our proof of duty (Taparelli, Rickaby, Simmel, Sidgwick, Ed. von Hartmann, Fouillée) 212

A difficulty (duty and freedom) 215

Corollaries concerning

A view of Sidgwick on the proof of duty . 217

Theory of independent duty 218

Other theories of Duty—

Duty a willing of the totality of ends (Lipps) . 220

,, disjunctive necessity (Meyer) . . 223

Theory of Intuitionism (Butler, &c.) . . 223

Positivist theory 228

Associationist form of (Mill) 230

Evolutionist form of (Spencer) . . . 230

Ethics without duty (Guyau) 236

Appendix—Kant's deduction of liberty from duty . 242

CHAPTER IX

ON STOIC FORMALISM (pp. 245–263)—

Explanation of theory as formulated by Kant . 245

Disproof of theory 246

Arguments of the formalists discussed . . . 255

CHAPTER X

ON HEDONISM (pp. 264–304)—

Explanation and history of theory of Hedonism . 264

Aquinas' arguments against the Hedonistic principle that pleasure is our final end . . . 269

Arguments of Psychological Hedonists (Mill) . . 277

,, Ethical Hedonists (Sidgwick) . . 288

Empirical (Mill) and Scientific (Spencer) Hedonism—their criterion 293

Mill's theory of qualitative distinctions in pleasures examined 298

CHAPTER XI

OF UTILITARIANISM (pp. 305–356)— PAGE

Definition 305
Utilitarianism—how far true 306
Disproof of the Utilitarian principle that the well-being of Society is man's final end . . 308
The Utilitarian criterion examined 312
Examination of the arguments for Utilitarianism drawn from the following :—
"The Benevolent Impulses" 317
"Hedonism" 325
"Moral good as categorical and universal" . 334
"Common conception of morals" . . . 335
"Pragmatism" 339
"Theory of solidarity of Society" . . . 342
"The moral intuitions" 350
Appendix—Theory of Moral Values considered . 351
,, Hedonism and Utilitarianism, their reconciliation 353

CHAPTER XII

EVOLUTION AND ETHICS (pp. 357–419)—

Theory of Biological Evolution (Spencer) . . 358
Note on Leslie Stephen's theory . . . 368
Criticism of Spencer's theory—
Whether the moral law evolves . . . 371
Spencer's assumptions examined . . . 376
,, argument depending on development in structure and function examined . . 385
Theory that life is man's final end disproved . 390
Spencer's two criteria—viz., "Adjustment to environment" and "Health" examined . 392
Theory of Psychological Evolution—
Statement of theory 402

EVOLUTION AND ETHICS—*continued*

Criticism— PAGE

Moral beliefs shown to be derived from reasoning 406

Associations of pleasure and pain not the source of moral beliefs 408

A special form of this theory depending on principle of "Natural Selection" examined 412

Question of origin and validity—how they are related 418

CHAPTER XIII.

EVOLUTION (*con.*). ETHICS OF TRANSCENDENTAL EVOLUTION (pp. 420–448)—

Statement of theory 420

Hegel's form of theory 423

Green's form of theory 426

Criticism of the theory of Transcendental Evolution 428

Note on Self-realisation 438

Appendix—Spinoza's system 443

Fichte's system 445

CHAPTER XIV.

THE MORAL FACULTY (pp. 448–479)—

The faculty defined 448

Consideration of erroneous views:—

Conscience a distinct faculty (Hume) . . 451

,, a feeling (Leslie Stephen, Fichte) . 456

,, a sense (Hutcheson) . . . 462

,, the Universal Reason (Hegel) . 466

,, the Voice of God (Butler) . . 473

Appendix—Of Probabilism 479

CHAPTER XV

Of Intuitionism (pp. 480–508)— PAGE

Statement of question 480
Exposition of author's view 481
Other views examined—
Perceptive Intuitionism (Mansell, McCosh) . 489
Common Sense Intuitionism (Reid) . . 495
Æsthetic Morals (Schiller, Herbart, Shaftesbury, Hutcheson) 498
Moral Impulse theory (Martineau) . . . 503

CHAPTER XVI

Of Synderesis (pp. 509–542)—
Statement of doctrine 509
On the origin of a child's moral beliefs . . . 511
Can Conscience develop and decay? . . . 519
Unethical man 521
Of the moral beliefs of savages . . . 522
Of the "homo sapiens ferus" 539
Appendix—Theories concerning differences in moral codes of different nations (Kittel, Elsenhans) 541

CHAPTER XVII

The Consequences of Morality (543–558)—
Of Rectitude 543
Of Imputability 544
Of Merit, Its kinds 544
Its conditions 547
With whom can we merit? . . . 548
Erroneous views on merit—
Merit implies effort (Leslie Stephen) . . 548
" attaches only to works of supererogation (Leslie Stephen) 549
Inverse ratio of merit and virtue (Martineau and Shaftesbury) 549
Theory that virtue implies struggle (Royce) 551

THE CONSEQUENCES OF MORALITY—*continued* PAGE
Of Demerit 554
Punishment as retributive 554
,, emendatory and deterrent . 555

CHAPTER XVIII

OF HABITS AND VIRTUES (pp. 559–596)—
Of Habits 559
Virtue and Vice in general 561
The Intellectual Virtues 562
Prudence 564
The Moral Virtues 569
The Cardinal Virtues 578
Of Temperance 580
Of Fortitude 583
Of Justice 586
Justice a natural virtue 589
Hume's objections 590
Justice an objective virtue 592
Opposed theory of Hume 593
,, ,, Sidgwick . . . 594

CHAPTER XIX

OF LAW (pp. 597–622)—
General Conception of Law 597
Note on Natural Selection and Law . . 599
The Various kinds of Law 603
The Eternal Law 603
The Natural Law 607
Natural Law and question of Divine Immanence 611
Human Law 612
Theory of Autonomy—
Autonomy of Reason (Kant) 615
,, Will (Lipps) 619
Immanent Heteronomy (Ed. von Hartmann) 620

CHAPTER XX

PAGE

On Rights (pp. 623–648)—
Notion of Right 623
Properties of Right—
Inviolability 625
Limitation 625
Coaction 626
Erroneous theories on relation of Right to Coaction (Ihering, Hegel, Thomasius) 627
Division of Rights 628
Perfect and Imperfect Rights 629
That some Rights are natural 631
Objections of Historical School (Neukamp, &c.) 632
Relation of Right to Morality 636
Erroneous theories on origin and principle of Right—
Theory that all Rights come from the State (Hobbes, &c.) 638
Theory that all Rights originate in Contract (Fichte, &c.) 641
Theory of Historical School that all Rights originate in Custom (Savigny, Neukamp, &c.) 642
Mechanical theory of principle of Right (Kant) 645

THE SCIENCE OF ETHICS

CHAPTER I

DEFINITION AND SCOPE OF ETHICS

(*a*) Definition

Ethics may be defined as "the science of human conduct as according with human Reason and as directed by Reason towards man's final natural end," or, it is "the science of moral good and evil in human acts." The former of these two definitions we expound as follows:—

(1) *Ethics is a science and not merely an art.*

An art and a science differ mainly in their object or purpose. The end of an art is to facilitate action—that of a science is to discover truth. Now, the end of Ethics is to discover moral truths—to establish, in the first place, the general moral principles, and then to deduce from these the laws which govern human action in particular cases. Ethics is, therefore, a science. It is a practical science since it has to do with action, and for this reason some thinkers might be disposed to identify Ethics with what is known as the art of good conduct. But although practical in its aim Ethics is quite a different discipline from the art of good conduct. The end of Ethics is, as we said, to tell us what is good and what is evil—the art of good conduct tells us how we may do the good and avoid evil with greater ease and security. For instance, the art of good conduct tells a

man when and in what circumstances he should fly temptations to evil, and when and how he ought to face temptation; also, how a man should set about the acquiring of a virtue, and how he may best retain it when acquired. Counsels of this kind may, indeed, sometimes be found in works on Ethics, but they are not essential to the science of Ethics, nor are they in strictness included in its object. Ethics does not aim at telling a man how to do good or how to strengthen his will against evil, but only tells him *what* is good and *what* is evil. In this sense we find it said that Ethics supplies no moral dynamics—that is, its aim is, at least primarily, not to purify and strengthen the will, but to inform the Reason—that is, to enable the Reason to form correct moral judgments about the right order of conduct.

(2) *It is the science of conduct as directed by Reason.*

Human Reason bears a two-fold relation to the order of objects in the Universe. First, there is an order which human Reason merely *considers* but does not make, like the order of the heavenly bodies or the order exhibited in the growing plant. Secondly, there is an order which Reason not merely considers, but also *constitutes*—an order which Reason sets up in things like the order of a well-arranged house. Now, the order which is considered in Ethics is of the second kind.* The ethical or moral order is an order which the human Reason itself introduces into conduct—an order which belongs to conduct in so far as it is under the control of Reason.

Now, this order which Reason sets up in human action is not an arbitrary order, but depends on certain fixed and necessary laws, and it is the business of Ethics to formulate these laws, to say when conduct accords with

* This doctrine of Aquinas, that the moral *order* of the human act is set up in the act by human Reason, is to be carefully distinguished from the Kantian theory of the autonomy of Reason—the theory, namely, that the moral *law springs from* our own Reason. According to Aquinas, Reason sets up in the human act the right order, but, in doing so, it follows laws that spring not from Reason itself but from nature. According to Kant, Reason not only directs the act, but also creates the laws according to which the act should be directed.

them or is good and rational, and when it does not accord with them or is evil and irrational. In this sense we define Ethics as the science of conduct as *directed or controlled* by Reason.

(3) *It is the science "of human conduct."*

Ethics has to do with conduct or with *human* actions only. This implies two things. First, it has to do with *man* and not with the movements or ways of animals or of anything lower than man; neither with the superhuman world—with divine actions or angelic. It has to do with *human* actions only. Of course, much that is naturally good for us men—granted for a moment that we shall establish such a thing as moral good—is good for other beings as well, since man's nature and other natures are not wholly different. Still they are different in many points, and consequently the law of good for man is not in all things the same as the law of good for others. There is, indeed, no being for whom veracity is "evil" and lying "good." But to apply without limitation to God's action or to angels' the rules of good and evil that obtain for us would be wrong, since their natures are not the same as ours. Ethicians, for instance, sometimes say that God should remove all pain out of the world, because a good man is supposed to do all that he can to alleviate human suffering, and what a good man should do God also should do. They forget that the relations in which men stand to God are very different from those in which they stand to one another. As well, to compare a less with a greater, might we say that what is good for a tree is necessarily also good for a horse or a man as to say that the "good" or the "right" for us is the "good" or the "right" for God and for all creatures above us. The "good" for us is what is natural *for us*. The "good" for other beings is what is natural *to them*.

Secondly, when we say that Ethics relates to *conduct* only, we mean that it has to do with *deliberate* acts only (*actus humani*), with acts that proceed from Reason (*qui a voluntate deliberata procedunt*); it has nothing to do

with indeliberate acts which are in no sense from Reason (*actus hominis*).* And in this connection we should emphasise the fact that the science of Ethics has reference primarily to human *actions*, not to *states* of the self or character, since it is not character but action that is primarily good or bad. Some men are born of such complexion as makes the pursuit of evil easier for them and that of the "good" more difficult for them, than it is for others. But these weaknesses and tendencies are part of the character only, and they are good or bad not in themselves but only in reference to the acts that they facilitate. The only thing that is morally good or bad in itself and primarily is the act of the will, and of the other powers in so far as they are controlled by will. This is what is meant by saying that the moral law has reference to acts and not to states. The good man is the man who does good deeds, and he is all the better man who does them in spite of character.†

(4) "*As directed to man's final natural end.*"

Other sciences, like Physics, treat of the efficient causes of human action. Ethics treats of the final causes or the ends of conduct. It treats in particular of the final end and of other ends as leading to the final end. Ethics tells us what acts will lead us to our final end or are morally good, and what will lead us away from it or are bad, that act being morally good which is directed by Reason to the final end, its opposite being morally evil. In Ethics the final end holds the same place and exercises the same function that the first prin-

* "Sic ergo moralis philosophiae proprium est considerare operationes humanas secundum quod sunt ordinatae ad invicem et ad finem. Dico autem operationes humanas quae procedunt a voluntate hominis secundum ordinem rationis. Nam si quae operationes in homine inveniuntur quae non subjacent voluntati et rationi, non dicuntur proprie humanae, sed naturales, sicut patet de operationibus animae vegetativae, quae nullo modo cadunt sub consideratione moralis philosophiae. Sicut autem subjectum philosophiae naturalis est motus vel res mobilis ita subjectum moralis philosophiae est operatio humana ordinata ad finem vel etiam homo prout est voluntarie agens propter finem" (Aquinas, "Commentaries on Aristotle," Ethicorum, Lib. I., Lect. I.).

† According to Hume, Schopenhauer, and most evolutionists, "character" and not action is the proper subject-matter of Ethics.

ciples do in the speculative sciences. For as reasoning begins with principles so action depends on and begins with "end." The last end will be the *first* ground of action, since it is that which moves to the attainment of all other intermediate ends.

(*b*) Scope of the Science of Ethics

In our definition of Ethics we have already implicitly indicated its scope. The scope of Ethics is the formulation and establishment of the laws of human conduct—those laws following which, conduct tends to man's ultimate end and is good, violating which, conduct is bad.

Ethics is thus a normative science—it prescribes norms or rules of action. In this it resembles many other sciences, like Medicine, which also is normative, since it prescribes laws of health, laws following which we shall be healthy, neglecting which we cannot be healthy.

Now, many modern ethicians take quite another view—a very erroneous view—of the scope and subject-matter of Ethics. They maintain that the proper subject-matter of Ethics is not the *laws* of morals, the laws to which conduct *ought* to conform, but what they call the *facts* of Ethics—by which they mean the moral customs and beliefs of various peoples in different ages and under different conditions, the scope of Ethics being, according to these ethicians, to describe and correlate these facts (without reference to their being right or wrong)—to give their origin and the law of their development.

The difference between what moderns call laws and facts can best be illustrated from architecture. We assign the laws of architecture when we say how buildings *ought* be constructed. The facts of architecture would be the history of men's views on architecture or an account of the fashions that have prevailed in architecture at different periods and in different places. But whereas we do not find that any architect has ever described his science as a history of men's views on, or of

fashions in architecture (this he would call the *history* not the science of architecture), we do, as we have said, find ethicians who claim that the business of moral science is merely to explain and correlate men's views on morals* and the customs to which these views have given rise.

We are indebted to Professor Sorley for an interesting account and a valuable criticism of this theory, from which we may be permitted to quote the following:— "The enquiries," he writes,† "commonly described as ethical comprise two kinds of questions which differ fundamentally from one another in scope, and require the employment of distinct methods for their solution. On the one hand, there are the *facts* of human conduct, the customs and institutions to which it gives rise and the sentiments and ideas by which it is accompanied. All these are facts in time whose genesis and history may be investigated by appropriate historical methods. On the other hand, there is a question of different scope which no amount of history could solve. This is the question of the value or worth of conduct and the truth of the judgments which men pass upon it. The question is no longer how the action came to be performed or the judgments passed upon it arose, but whether the action was right and whether our moral judgments are true judgments."

And again‡—"It is an irrelevant answer to the question, 'what is the good,' when we are given a mere record of men's ideas about what is good and of the way in which these opinions arose. We ask about the validity of moral judgments, and are put off by speculations concerning their history. The strictly ethical question is thus disregarded."

According, then, to Professor Sorley the strictly ethical question is not what men have thought about

* Amongst the most prominent members of this School is M. Levy Bruhl. His views are to be found in a remarkable work, entitled "La Morale et La Science des Moeurs."

† "Ethics of Naturalism," page 310.

‡ *Ibid.*, page 320.

the laws of conduct or how our moral ideas have originated, but "what are the laws of right conduct—what should conduct be?" This, of course, is also the view taken by Aristotle and by St. Thomas Aquinas.

The view taken by our opponents on this point—for instance, by M. Levy Bruhl—is, we maintain, opposed to the whole conception of the scope and subject-matter of a science. As well might we confine the science of Physics to the description and correlation of the various views of physicists at different periods as to say that the exclusive purpose of Ethics is to describe the history of men's views on good and evil, and the practices to which these views have given rise. Of course, if it could be shown that conduct has no laws, that it is all the same to a man whether he is drunk or sober, honest or dishonest, that the supposition of laws for conduct is purely a figment of our imaginations, then certainly we should admit that the study of morals could mean no more than the study of opinions on matters of conduct. But, apart altogether from the scientific proof of morality which we hope to give in the present work, it ought be evident even from common sense that human conduct is not without its laws. We have only to open our eyes and see what men come to through intemperance, and to consider what society would come to were there, for instance, no such thing as marriage contracts, in order to know that human conduct is subject to laws of some kind, that it has requirements just as a tree has requirements, that it is not the same to a man and society whether we follow one set of courses or the opposite set—in other words, whether we do good or evil. At present we do not say what is the nature of the laws of conduct, what the "good" is and what evil is, or to what end the laws of conduct should guide us. We only insist that there are courses that are necessary for us and courses that will ruin us, and therefore that human conduct is really subject to laws of some kind. That being the case, it is evident that the science of Ethics, which is the science of human

conduct, deals not with the growth of ethical views and customs, but with the laws of conduct, just as Physics deals not only with opinions about the phenomena of nature, but with the objective phenomena themselves. The purpose of Physics is the establishment of the laws of physical nature. The purpose or scope of Ethics is the establishment of the laws of human conduct. The correlation or history of the views and customs of different peoples at different periods may, indeed, be interesting on its own account, and we might even find a place for such questions in Ethics, as leading indirectly to a right view of the good and evil of certain acts. But these views and customs are no part of the direct object of Ethics.

(*c*) Ethics and some other Sciences

Having defined absolutely the science of Ethics, we turn now to define it relatively—in other words, to determine its boundaries and to show where it differs from the other sciences, or at least from those that are more or less closely connected with it.

Ethics and Psychology

We shall draw out the distinction between these two sciences step by step. In the first place, Ethics has a narrower object than Psychology, for Psychology treats of every act of man, whereas Ethics treats of deliberate acts only. Secondly, even deliberate human actions are considered very differently by the psychologist and the ethician. For whereas Psychology treats of these actions in every aspect—as regards their origin, the conditions of their existence, their relations to one another, and their relations to the various faculties and to the natural ends of the faculties—Ethics treats of them in this latter way only, that is, in their relation to natural ends. Hence, whilst the psychologist is like the geographer, who tells us everything about a road—its length, its position in respect to other roads, &c.—the ethician is like the cyclist who is interested in one

question only—namely, whether a particular road leads to the town he is seeking, and how.

So far, however, Psychology is but the wider science and not specifically distinct from Ethics. Some ethicians have stopped here, and been content to draw this mere quantitative distinction between the two sciences. They sometimes formulate it thus—whereas Psychology treats of the origin and nature and ends of our acts, Ethics treats of their end only, and, therefore, of their goodness or badness. But it is evident that if Ethics is not to be accounted a chapter of Psychology it must differ from that science qualitatively as well as quantitatively—that is, it must concern the human act under a separate aspect, an aspect which the psychologist does not consider.

The existence of a qualitative distinction between Ethics and Psychology is clearly shown by Aquinas in his "Commentaries on Aristotle."* "Order," he writes, "bears a fourfold relation to Reason. There is first, the order which Reason does not establish, but merely *considers*† (*quem ratio non facit sed solum considerat*), as is the case with natural things (*i.e.*, physical nature). There is also an order which Reason itself by considering *sets up* (or establishes) in its own act—for instance, the proper ordering of the concepts to one another. . . . A third 'order' is that which Reason sets up in the operations of the will. A fourth is that which Reason sets up or establishes in external things in so far as they are made by Reason. (Now) . . . these different kinds of order give rise to different sciences. Natural Philosophy, including Metaphysics (under Natural Philosophy Aquinas also includes Psychology), regards that order which Reason discovers but does not itself establish. Rational Philosophy (*i.e.*, Logic) regards the order which Reason itself sets up in its own act, for Logic regards the order of terms in a judgment and of premisses to

* Liber primus Ethicorum. Lectio I.
† The distinction has already been mentioned, page 2.

conclusions. Moral Philosophy has to do with the order of our voluntary actions (an order which Reason sets up or establishes in the human will). Finally, there is the order of the mechanical arts, an order which Reason sets up in external objects in so far as external objects are subject to or constituted by Reason." *

We see, then, that the order which is contemplated in Ethics is not one (to use a modern expression) which is *given* to Reason, but rather an order which Reason itself sets up in the acts of the will. Its specific object is "an order in human acts to be *established by* Reason." In Psychology, on the other hand, Reason merely plays the part of *knower*. It tells us what *are* the objects of the faculties, what *are* the relations between the faculties and the soul, &c. In other words, whereas Psychology treats of *what is*, Ethics treats of an "order" in our acts which perhaps *is not*, but which, if conduct is to be rational, *ought* to be, and which can only be set up in the will by Reason itself. Psychology, then, like Mathematics and Physics, treats of mere facts or actual happenings of mind. Ethics is, like Logic and certain of the arts, *normative*. It lays down rules of action. And even amongst *normative* sciences it has a specific difference of its own—namely, that the order which it contemplates is an order of acts not to any proximate or intermediate end, but to the final end of our whole being—the *summum bonum*.

But though Ethics is a distinct science from Psychology, it is yet in many points dependent on Psychology. For, first, it is from Psychology that we learn the freedom of the will or the fact that Reason is able to control our actions. Again, it is from Psychology we learn what are the ends and objects of the various faculties, and it is through the information thus obtained that Reason is enabled to set up in our wills the necessary ethical order, the order of act to final end. In this way, just as the cyclist gets his information from the geographer, so does the ethician from the psychologist.

* See note, page 2.

But still Ethics is not to be identified with Psychology, nor with any chapter in Psychology. It is a distinct science, since the aspect under which conduct is related to our human Reason is different in the two sciences.

ETHICS AND POLITICAL PHILOSOPHY

We meet in recent ethical literature with two remarkable and quite opposed accounts of the relation in which Ethics stands to Politics. One tends to separate the two sciences altogether; the other tends to merge Ethics in Political Philosophy or in Sociology. The first view is advocated by Kant and his many disciples. The second by the modern utilitarians. In the first view, whereas Moral Philosophy concerns itself with the individual conscience and with the inner act as subject to conscience, Political Philosophy concerns itself with the laws and interests of the State and with external acts. In the second view, morality is regarded as identical with the good of the race, and the science of Ethics as identical with the science of the racial interest in so far at least as the racial interest can be promoted by individual effort, and gives rise to individual responsibility. Ethics is thus, in the utilitarian system, identified with Politics regarded as the science of the social good. (The school of M. Levy Bruhl identifies Ethics with that part of Sociology which treats of the history of social customs and opinions and with the development of these, as society develops.)

Now, the view taken in the present work is that Ethics is neither distinct from Political Philosophy nor identical with it; that, on the contrary, Political Philosophy is merely a branch of Ethics, that as Ethics considers the actions of men in regard to our last end, both in our character as individuals and as members of society, Political Philosophy considers the acts of men as citizens or as members of society only, and directs the lawgiver as to the best way to rule the citizens so as to obtain the ends of society.

On this question of the relation of Ethics to Political

Philosophy, it may be well to quote the argument of Aquinas. Having determined the general subject-matter of Ethics—that is, human operations as directed by Reason to the last end—he writes* :—"It should, however, be mentioned that man is a social animal inasmuch as many things are necessary for his life which he himself as an individual could not procure; from which it follows that according to the design of nature man is to be considered a member of a *multitude* which is (nature's) means for affording him the necessary help in the proper ordering of his life. This necessary help extends to two classes of requirements. First, it extends to things necessary for life, without which the present life could not continue; and in this respect man is a member of the domestic multitude (or of the family), since it is from our parents that we receive life, support, and education. . . . Secondly, as members of another multitude we receive those things that are required for *complete sufficiency* of life, things necessary not for life, but for the perfect life, and on this account man is a member of the multitude of civil society, and that, not merely in regard to" (such things as) "bodily necessities which only a number of artificers living together can fully supply, but also in regard to the moral necessities like that of public punishment, whereby youths are coerced into good behaviour when they cease to give heed to mere paternal admonition. . . . Hence moral philosophy is divided into three parts. The first regards the acts of a man in his individual or personal relation to the final end—which is 'Monastica' (or personal Ethics). The second considers the actions of the family—which is 'Oeconomica.' The third considers the political organisation and its action—which is 'Politica.'"

There is, however, one difficulty in the way of regarding Political Philosophy as a branch of Ethics—namely, that Political Philosophy considers many questions

* "Commentaries on Aristotle." Liber primus Ethicorum, Lectio I.

which apparently have nothing to do with the moral good or with duty—for instance, the question of the best form of "electoral system" or the best methods of taxation. Our view of these questions is that, though they do not appertain to strict duty, they do nevertheless appertain to the moral good, inasmuch as, like many other moral goods, political systems regard the means by which we promote our final end, means which are necessary, if not for the essentials of our life, at least for the conditions of a perfect life. Besides, these same questions, even where they do not concern the duty of the individual, may easily have a bearing on the duty of a lawgiver who is bound morally to suit his enactments to the given concrete circumstances so as to direct his subjects efficiently and well. They are, therefore, a part of the moral law for him. It must, indeed, be acknowledged that men as a rule tend to regard such things as the incidence of taxation and methods of election as no part of the moral good. But the reason is, because in estimating the moral good we consider for the most part our own duties and not the duties of lawgivers, and also what is necessary for our own end, not what is necessary for society, whereas it is the good of society that is most consulted for in questions of the modes of election and of taxation. However, such questions have, as we have seen, a moral bearing, and are to be regarded as belonging to the science of Ethics; for the ends of society just like personal ends are part of the moral good, and hence the laws that consult for the social ends are also a part of the moral law.

The discussion of the two views we have mentioned—that of Kant and that of the utilitarians—belongs to our subsequent chapters on Right and on Utilitarianism.

ETHICS AND MORAL THEOLOGY

Ethics treats of the moral law from the standpoint of natural Reason alone. Moral Theology from the point of view of revelation. The relation of Ethics to revealed

Theology is very clearly drawn by the scholastic writers. The ethician must not oppose revelation, but inasmuch as Ethics is a natural science in the sense of a science conducted by our natural Reason, the ethician does not in the construction of his science use the Revealed Word as a proof of ethical truth or as a premiss from which to draw ethical conclusions. Revealed morality stands to Ethics in the same relation exactly that the biblical account of the origin of the material world stands to the natural science of geology. In other words, no proposition can be regarded as a genuine conclusion of the science of Ethics unless it can be established on grounds of natural Reason alone without revelation. If revelation be necessary in order to establish a particular proposition this proposition is a conclusion of Moral Theology, not of Ethics. There are a great number even of moral truths that can be established only through revelation—truths that unaided natural Reason could not possibly establish. These truths are not ethical truths, and are not the premisses of ethical conclusions, nor are they used as such by the scholastic writers. Ethics and Geology are natural sciences, Theology is a revealed science. The standpoints, or what are called the formal objects of the natural and the revealed sciences, are not indeed opposed, but they are distinct. The science of the revealed moral law is Moral Theology. Ethics is the science of natural morals only, and its standpoint is that of natural Reason.

(*d*) Method of Ethics

The methods* employed by various ethicians in the development of this science may be conveniently reduced

* By "method" here we mean, not a system of Ethics, but the method of study adopted in discovering moral truths. It is perfectly possible that two men following the same method (for instance the inductive) should arrive at very different ethical systems. The reader will easily understand that it would be no easy matter to classify all the methods adopted by ethicians, or even to know in every case the precise method adopted by individual ethicians. Many ethicians adopt a plurality of methods, which is, indeed, quite logical and often necessary. But many who lay claim to using a single method are often so vague in

to three. First, methods are either intuitive* or inferential—that is, moral truths are either represented as known directly and immediately without reasoning, or they are represented as knowable through reasoning alone. Secondly, the inferential method is either one of induction or of deduction—that is, the ethician either starts from experience and builds up the general moral proposition from particular truths, or he represents particular moral truths as deducible from the more general self-evident moral principles. Speaking broadly then, the methods recognised by different ethicians are the intuitive, the inductive or *a posteriori*, and the deductive or *a priori*.

The intuitive method represents moral truths as knowable immediately by direct perception. Now, in general, there are possible two modes of intuition—intuition by sense and intuition by intellect. Accordingly, intuitional moralists may be divided broadly into two classes—those who attribute the knowledge of moral truths to a sense which they call the moral sense,† and

their account of it, that it becomes impossible at times to know under what heading to classify it. Thus it is exceedingly difficult to know how far many "moral sense" ethicians acknowledge intellect, or whether they regard the testimony of the moral sense as given by inner reflection or by outward perception. Thus they speak of the moral sense as a "sentiment of judgment," which would suggest some kind of intellectual faculty. Yet such prominence is given to "feeling" in these theories that the moral faculty would seem to be regarded as predominantly sensuous. In the main we may say that the moral-sense writers regard conscience not as an intellectual but as a sensuous faculty with higher sentiments attached. Again, the moral sense is sometimes represented as extra-regarding, in so far as by it we become aware of the moral qualities of other men's acts, and sometimes as reflective or intra-regarding, in so far as it is a reflective liking for certain affections in ourselves.

Again, with the exception of a few, intuitionists generally fight shy of the question whether our moral intuitions concern the general moral principles only, or whether they extend to particular acts. They speak generally of intuitions (not of moral *principle*, and not of individual *act* but) of *morality* simply.

*Speaking strictly, "intuition" is not a method. Common usage and convenience, however, are our justification for speaking of it as a method.

†So far as method is concerned, the moral sense theory may be classed as one with the theory of moral feeling, with, *e.g.*, Adam Smith's theory of "Conscience—a feeling of sympathy," and Brown's theory of "Conscience—a feeling of approvableness."

those who attribute it to intellect. To the former class belong Reid,* Shaftesbury and Hutcheson, to the latter, the Intellectual moralists Cudworth and Clarke. Again, the "moral sense" theory is a theory either of an "inner" sense or of an "outer." An "inner" sense, it is claimed, discovers the moral law within a man himself by introspection. In this way Hume may be regarded as a sense intuitionist. The moral sense as "outer" is represented as sensible to the morality of other men's acts as well as of our own, and as such its action is said to be akin to that of our other ordinary outer senses.

It is not so easy to mark off the various methods of "intellectual" Intuitionism. In one way even the defenders of the inferential method are all, to some extent, Intellectual Intuitionists, for they insist that the process of reasoning must begin with intuition of some kind, that we cannot reason back *in infinitum*. Indeed, every moralist recognises the need of intuition at some stage or other in the determination of moral truths. But between the inferential theory and the theory of the "Intellectual Moralists" we may at least draw a distinction of degree, as regards the number of intuitions they each admit. Intuitional Moralists as a rule regard all the general moral principles, or at least those simpler truths which all civilised men know of, like "justice is to be done," "drunkenness to be avoided," "the truth to be told," "superiors to be obeyed," as judgments of intuition. Those who follow the inferential method insist that the great body of these same moral principles, including

* Sidgwick distinguishes two intuitional methods. (1) The strict *a priori* method, in which a man's duty is clearly stated on general principles, and no room is left for individual tastes or freedom. (2) The æsthetic intuitional method which allows for individual tastes, puts virtue above strict duty, and allows for its not being always realisable at will. The moral code resulting from this latter method is necessarily very indefinite. We need not say that in the following treatise we shall take no notice whatever of æsthetic intuitionism in Sidgwick's sense. Of Æsthetic Ethics, in another sense, we shall have something to say, but æsthetic intuitionism in Sidgwick's sense is not a science, and it is therefore disproved by everything we can bring forward in favour of the scientific method.

many principles which are generally accepted by civilised men, need to be proved; but they admit that we must fall back somewhere in our reasoning on self-evident truths.* This second class of writers are not usually described as intuitionists, and in this work we shall speak of Intellectual Intuitionism in the first sense only. We shall not at present discuss the intuitional method. Our view of intuition and of the other methods will be given in a special section on the right method of Ethics, and also in later discussions on particular moral theories.

The a posteriori or inductive method may be defined in a general way as that method which bases the general principles of moral science, if not exclusively, at least mainly on experience. It is the method adopted, for instance—(1) by hedonists and utilitarians, for whom moral good and evil are determined by the pleasurable and painful consequences of acts, pleasure and pain being plainly matters of experience.† (2) By evolutionists, in so far as they lay claim to discover the moral law in the general line of development that may be observed in the past history of men and things. This also is an appeal to experience. (3) It is used by all who discover the moral laws by comparison of the various types of character and sentiment that have come prominently before the world in the course of history, and

* Where shall we place Kant in this connection? It is not so easy to say what his method is. On the one hand he would seem to be a purely deductive ethician, for all moral principles with Kant reduce to the one law—"Act so that your maxim may be capable of becoming a law for all mankind." And this law he deduces from the general principle that morality is obedience to law for the sake of law. On the other hand, he sometimes speaks as if we learn our duties by listening to God's voice within us, as when he tells us that it is our duty to cultivate conscience ("cultivation" in Kant's system does not mean "rectifying," since conscience cannot err with Kant; it means strengthening our will to do the good for the sake of duty) by quickening our attention to the voice of the internal judge, and using all means to secure obedience to it ("Preface to Metaph. Elements," page 312, Abbot). This would place him among the inner-sense intuitionists. We are, however, we believe, safe in regarding Kant's method as in the main deductive.

† Even those *a priori* scientific hedonists who ground the hedonistic code on theories of the *cause* of pleasure, must have recourse in practice to experience. Of this, however, we shall speak later.

that have aided its progress. As so employed it is sometimes known as the historic method; but this kind of historic method must be carefully distinguished from (4) the HISTORIC method proper (also a method of empiricism), which bases moral judgments on the examination of the development of history as a whole, and not on the accidental appearance of individual types.

We find some difficulty in bringing the various forms of this historic method under one formula or principle, so different and apparently so opposed are the accounts that are given of it by different ethical writers of the historical school. Thus some, like M. Levy Bruhl, regard the historic method as purely positivistic and descriptive. They maintain that it is the business of Ethics to give the history of human customs and of the moral views of different nations as expressed in these customs; also, to discover from an examination of these views and customs the law that has regulated their occurrence and succession. They also expressly declare that all these customs and views, though opposed to one another, *are equally natural and true,* since they are all necessary stages in the evolution of mind and of society. On the other hand, some, like Professor Wundt, who often speaks of Ethics as a study of the "social historic phenomena" and describes the historic method as the right method of Ethics, would seem to imply that the object of Ethics is not merely to correlate the customs of nations and discover the law of their succession, but to distinguish what is natural and good in them and in law from what is unnatural and bad.* Wundt, for instance, suggests a distinction between valid and invalid moral law when he speaks of the "universally valid contents of morality," and between "natural" and "unnatural" when he describes the moral laws as founded on "uniformity in human nature," or on "certain moral impulses which are in essence always and everywhere the same;" and he even

* These systems differ in aim. One aims at history for its own sake. The other uses history to distinguish right from wrong.

gives as one characteristic of the moral laws (and, therefore, of course, as a criterion by which they are to be distinguished from immoral laws) the fact that the former kind afford "enduring satisfaction." *

These, we say, are seeming differences between the forms of the historic method adopted by M. Levy Bruhl and Professor Wundt and their respective schools. Yet, though seemingly so different in their purpose and presuppositions, these methods, we claim, are fundamentally one and the same, for they depend both upon a view of morals which so many evolutionists maintain and defend—namely, that there is no *a priori* rightness and wrongness, that distinctions of right and wrong do not exist outside the customs and views of different peoples, that the moral law, in so far as such a thing exists at all, is discoverable not by reasoning but by the study of the views and customs of nations, and that all views on "good" and "evil" that have gained anything like wide acceptance are necessarily right and true even though our Reason cannot prove them.

This historic method will be considered later in our chapter on Rights. To treat of it here would, we think, be premature, and it would carry us too far afield.† It is better also, as we have said, to reserve our view of the value of the *a posteriori* method generally until we come to treat in particular of the various *a posteriori* systems in which it is embodied.

However, at this point it will be well to call the reader's attention to one particular form of the inductive method, a form to which, we may say at once, we shall rigorously refuse a place in this science—namely, the method of "induction through moral instances," or the establishment of general moral truths through particular cases of the general truth. An example of this method

* "Ethics," page 327.

† We may, however, remark at this point that truth and falsity cannot be *tested* by the fact that men believe in certain things and disbelieve in others, and that right conduct and wrong conduct cannot be tested by the fact that such and such courses of conduct have obtained amongst the people.

would be the establishment of the general proposition "all lies are bad" by finding that this, that, and the other lie were bad, or that "murder is bad" because the murder of this, that, and the other man was bad. This method, as we have said, cannot be admitted into Ethics.* We do not know that the lie in general is bad on the ground that many particular lies are bad. On the contrary, we can only know that a particular lie is bad through knowing that the lie of its nature, and therefore of itself and in general, is bad. Induction through instances has an undoubted value in the physical sciences, for the physical sciences are concerned solely with objects and qualities that fall under the senses. We see, for instance, with our eyes that this and that piece of gold are yellow, and thus we can argue from many single instances to the general proposition that "gold is yellow." But such a form of argument is quite inapplicable in Morals. For, individual lies are not labelled "good" or "bad." We have to discover their moral quality by the use of reasoning, and in establishing their moral quality we argue on the strength of premisses that are quite of general application.†

The a priori method.—The deductive or *a priori* method is that which deduces all moral truths from certain broad general principles that have either the

* Some have adopted the *a posteriori* method as equi-primary with the deductive, and as the exclusive method of certain branches of Ethics. Thus, Grote divides Ethics into three distinct parts—the treatise on duty, that on virtue, and that on happiness. For the last of these three treatises the *a posteriori* is, he maintains, the only method available.

† A method akin to that of induction, and sometimes adopted in Ethics—*e.g.*, by Sigwart—is that which some writers call the *reductive method*, corresponding in great measure to what Mill calls induction by parity of reason. It is the case of a law revealed fully and necessarily in one particular instance. Thus, the fifth proposition of the first book of Euclid is not only exemplified but proved from any isosceles triangle which one may draw.

To this method all that we have said about induction by instances may be applied without exception. Even Sigwart implicitly admits its impossible character when he says—"*Ethics can only come down from above;* it cannot be built up from below"—that is, the general moral truths can be established from general principles only, and not from particular empirical facts. The expression "reductive method" has another meaning also—namely, the establishing of the premises of an argument given the conclusion that has come from them.

force of analytic* judgments themselves or may be reduced to judgments that are analytic. As there are schools of Ethics that adopt the *a posteriori* method only, so there are ethical schools that adopt the *a priori* method exclusively, and make no appeal, or at least aim at making no appeal, whatsoever to experience in the building up of their science.

The following are instances of the *a priori* ethical method:—(*a*) The geometric method of Spinoza, in which proposition is drawn from proposition exactly as in Euclid, without any appeal to experience, or any admixture of probable reasoning—the last conclusions being, it is contended, quite as certain as the axioms from which they are drawn, whatever be the number of intervening propositions; (*b*) the transcendental or abstract *a priori* method, in which all moral truths are deduced from some *one* original speculative truth, such as "I find myself willing" (Fichte), or "I am free" (Hegel), which one proposition, it is contended in each case, is just the abstract expression of the whole moral order, the manifold laws of which are derived from the first principle by pure *a priori* reason alone:† (*c*) the Ideal *a priori* method of Plato in his "Laws," and of More in his "Utopia," in which conduct is regulated not by what is good and obligatory for real men, but by an abstract ideal of what is best or might be best for us under conditions that are superhuman.

What value attaches to *a priori* reasoning in Ethics will be seen in the following section, which will contain our view on the function both of deduction and of induction in the science of Ethics.

THE TRUE METHOD OF ETHICS

As the present work proceeds and the moral laws and their many applications come before us for consideration,

* By an analytic judgment is meant a judgment of which the predicate is a part of the meaning of the subject.

† Hegel recognises the *a priori* method as primary and fundamental. But he is finally led to the adoption of the historic method as the practical and proximate method of Ethics. See later, page 423.

it ought to become plain to the reader that the method of Ethics is a mixed one, that it is partly *a priori* or deductive, and partly empirical. Ethics is primarily and in the main a *deductive* science—that is, it is a science in which the morality of particular acts is deduced from general moral propositions. For Ethics is a practical science, and, therefore, its aim is to direct men aright in the concrete circumstances of real life. Hence the primary and essential method of Ethics will be that by which our Reason determines the individual duty in individual circumstances. Now, in order to determine the morality of any particular act, it is necessary to bring together certain general moral principles such as will suit the circumstances of the act in question, and from a consideration of those principles we are able to determine deductively the individual duty. Hence the method of Ethics is primarily and in the main deductive.

But it is in the establishment of the general principles themselves that Reason has to fall back to a large extent on experience.* For we can only establish the general moral laws by a consideration of the natural human appetites and their objects, and this latter it is evident is largely a matter of experience. We must, therefore, acknowledge that experience is a necessary part of the method of Ethics. Thus we know that society is a natural necessity, because we know that there is in man a natural appetite for society and for certain things that can only be achieved in society, and because, allied to the natural appetite for society, there is also a special natural faculty—namely, speech—which has no other natural purpose than the attainment of certain social ends. Now, the discrimination of these faculties and their objects is the work to a large extent of experience, and, therefore, experience is a necessary factor in the estab-

* We refrain from calling this experimental factor in Ethics "inductive," because of the meaning usually attaching to "induction" as *reasoning built on instances* in the way we have described. To say that there is in Ethics an element of experience expresses our whole meaning here.

lishment of the general moral principles. We should mention, however, that this experimental factor which plays so important a part in the determination of the general moral principles is no bar to the certitude required of the science of Ethics. For the experience that we presuppose in Ethics is no narrow experience, but one so broad and universal that there can be no error nor risk of error in following it. The method, therefore, of Ethics is in the main deductive. But it presupposes experience, for in the establishment of its general principles it must rely upon experience.*

(*e*) Possibility of the Science of Ethics

Is a science of Ethics really possible? A full discussion of this question would anticipate what we hope to prove regarding the reality of the distinction between moral good and evil, and the validity of the first principles of Ethics. But the question may be partly answered here by meeting the more important of the arguments that have been advanced against the possibility of a Moral Science.

(1) It has been said that if there is a science of Ethics at all it must be a science of the most inexact type, so inexact as scarcely to merit the title of science. Opinions, it is contended, are so varied on moral matters that no certain convictions can be entertained about them. Savages, for instance, have only the rudest morality. Their highest code of morals is immorality to civilised men. Nor can it be argued that a savage's opinions are only savage, and are consequently a negligible quantity. Valueless as his opinions may be on purely speculative scientific questions, like astronomy or electricity, they certainly, it is insisted, have a value all their own on matters that concern human life and

* The reader must not complain that we give no convincing proof here that the method of Ethics is such as we have described. At this stage of our work it would be irrational to expect us to prove these things. The requirements of Ethics in regard to method can only appear when we come to treat of particular moral problems.

existence. We have not, therefore, in morals a sufficient consensus of opinion to constitute a genuine science of Ethics.

Reply—It is untrue to say that Ethics is either not a genuine science or is an uncertain science. Ethics, in the first place, possesses all the elements that are required for a genuine science—namely, indisputable principles and a definite method; and it is *certain* because the conclusions to which it leads us are certain. This, of course, we can only make clear to the reader as we proceed. We admit, indeed, that there are problems in Ethics, not of a primary character and remote from our first principles, which cannot be solved with certainty. Also, the practical application of the complex rules about circumstances, &c., is not in many cases without difficulty. But yet we shall be able to show that a very large number of our moral conclusions are certain—a number quite large enough to cover all the important duties of a man's life.

The argument drawn from the difference in existing codes, between that of the savages and that of civilised men, is, we maintain, no disproof of the validity of our science, just as differences of view on the physical world are no disproof of the validity or reality of Physical Science. We admit, however, that it would be a serious thing for our Moral Science if men did not agree on at least the first principles of Ethics, for these principles are, many of them, intuitions involving experience, and all minds agree about intuitions. But there can be no doubt whatsoever, as we shall see later on in this volume, that savages and civilised men are quite in agreement about the first principles of morals,* and that all differences between our codes fall under one or other of the following heads, none of which have reference

* Professor Wundt, though an ardent evolutionist, writes ("Ethik," Engl. transl., page 46)—"No unprejudiced observer can avoid the conviction that in the last resort the differences here (that is, on points of practical morals), are no greater than in the intellectual realm, where, in spite of all the multiplicity of views and schools, the universal validity of the laws of thought remains unquestioned."

to primary Ethical principles—(*a*) remote and difficult ethical conclusions which only the developed Reason can successfully determine; (*b*) the secondary laws of morality—that is, laws that appertain, not to absolute moral necessities, but to the higher necessities or the necessities of the more perfect human existence; (*c*) positive laws that are above nature.

For instance, (*a*) it is not to be expected that savages will have right and proper views of the details of justice, since "justice" cases require reasoning—reasoning of which even civilised men are often quite incapable; (*b*) savages practise polygamy, civilised men as a rule do not. But then this difference appertains, not to the strictly necessary or primary laws of natural Ethics, but to the secondary laws—the laws of greater human perfection. Now, of these secondary laws the savage has either no care (for he does not desire the greater human perfection) or no knowledge (since what is necessary for the greater perfection is never so obvious as that which is required for existence or life itself); (*c*) sometimes savages differ from us in their ideas of morality, because our ideas are sometimes formed by positive laws which are above nature, and which savages know nothing about. For instance, we have the law of Christian charity. But such differences of moral idea are not ethical, since Ethics is the study of natural morals, and hence these differences are outside the question which we are discussing.

(2) Secondly—It is contended that many weighty authorities have not regarded this science as demonstrative—*e.g.*, Aristotle.*

Reply—We can only answer briefly that Aristotle merely meant to indicate that Ethics could not give us certainty in every case, and that the science had its difficulties like other genuine sciences that in part depend on experience.

(3) Again, it is objected that "the philosophical explanation of morality always lags behind the fullness

* Also Butler.

of real life" *—that the principles of a science of Ethics must be purely general, whereas the object of Ethics—viz., human life—is concrete and real. You cannot, it is contended, frame a body of laws which will reach into all the crevices of a man's life or regulate all his motives.

Reply—On the question of the relation between general law and individual fact we shall speak at some length later. Here we may say that, in regard to this relation, Ethics stands on exactly the same footing as Mathematics and Physics. Let us confine our comparison to the case of Ethics and the Physical sciences. The function and aim of the Physical sciences is the discovery of general laws of nature and the deduction of facts from general laws. Yet the general laws of Physics do not of themselves account for the individual facts, but have to be supplemented by considerations of the circumstances in which these facts exist and under which they are produced. Thus, from the general laws of Dynamics no man could deduce the actual course of a falling stone because so much depends on the surrounding circumstances. So also in Ethics the general moral laws could not of themselves meet all the requirements of the individual life. But, given a full statement of the circumstances and given the general laws, the ethician will determine our individual duty, if not in every case, at least in every important case.

(4) Any genuine science, it is argued, should fulfil two important conditions—it should *verify* and it should *predict*. Now, on the one hand, a principle of virtue or of duty could neither be verified nor contradicted by any fact, positive or negative; and, on the other, no man will predict that because we ought to follow certain lines of conduct we therefore shall be found in fact to follow them. If Ethics, then, be a science at all it must be quite unreal, and a science only in a very broad and imperfect sense of the term.

Reply—This difficulty we shall dispose of in very few

* Prof. Bussel in "Personal Idealism," page 343.

words. Ethics does not propose to tell a man what he *will* do, but what he *ought* to do. Prediction, therefore, is no part of the function of Ethics. Nor need it be. Mathematics is a real science. Yet it is quite incapable of predicting in the strict sense of the word; and, even if Mathematics did predict, the acceptance of mathematical truths is not made surer when its predictions realise themselves, nor more difficult when they do not. And Ethics is to a large extent a deductive science like Mathematics, and, therefore, we must not look for predictions from it. What a man *will* do depends on his own will and not on moral law. Ethics treats of moral laws only. Prediction treats of matters of fact. In the same way the laws of Ethics may be quite certain even though they be not *verified* in fact. The laws of Mathematics stand in no need of verification, yet Mathematics is a genuine science. So, also, Logic is a genuine science; yet its laws cannot and need not be verified. Like Ethics, the laws of Logic are themselves the rule and the norm of action, and, therefore, they need no verification in action.

(5) Again, we have Mr. Balfour's objection that ethicians simply falsify their ethical conclusions for the sake of coming into line with the code of morals that obtains *de facto* in the world,* since, while they disagree concerning their moral principles, they agree about the code of morals which these principles yield.

Reply—This is a serious charge to make against intellectual men, and we do not think it can be substantiated. No doubt ethicians do agree about their conclusions and their codes, and differ very widely about their principles; but from this it does not follow that ethicians deal dishonestly with their principles or force them to unwarranted conclusions. *De facto,* many ethicians hold fast to principles which they find it exceedingly difficult, if not impossible, to bring into

* Prof. Bussel in "Personal Idealism" expressly impugns the candour of ethicians in admitting, as part of their stock-in-trade, principles which we "blush to examine, and for which we find it impossible to account" (page 344).

harmony with the accepted code. But it is strange that it never occurred to Mr. Balfour that possibly these so divergent principles really supplement one another—*i.e.*, are each true, but, at the same time, that they are only partial truths, and that, consequently, the codes they make possible must in the main be one; in other words, that they are all partial views of the same central fact—human nature and its needs. As a matter of fact we are persuaded that that is the true explanation, and we shall in the course of the following inquiry rarely find ourselves obliged to discard any ethical theory wholly. In practically all of them there is a great deal of truth mixed up with some error. We do not, however, wish it to be understood that the theory we are going to offer is one of eclecticism. Eclecticism means weakness, compromise, insecurity. But to recognise the "true" in what is in part false is not eclecticism but common sense.

(6) There is, then, the much repeated difficulty about the "is" and the "ought." Science, we are told, deals with the real, with what *is*, whereas Ethics deals only with the ideal or with what "*ought*" to be.

Reply—The obvious answer to such a difficulty is that Ethics is a *normative science*—that is, it offers us norms or rules of conduct. Surely it is no drawback to any science that it has a *differentia*, which distinguishes it from other sciences. Ethics, like Logic, treats of what *ought* to be—Physics and Mathematics of mere facts. Again, we do not recognise any very marked and essential distinction between the real and the ideal, between what *is* and what *ought* to be, such as is here postulated. Surely the necessity or "oughtness," of taking the one road that leads to a town if a man would get to a town, is a *real* necessity, and yet it is also ideal or a thing that *ought* to be just in so far as a man may or may not take the road. Now, as we shall see later, Ethics has just to do with these teleological necessities, with the necessities of certain ends of human appetite. These necessities are *real* necessities and the means by which they are supplied are *really*

"means." There is, then, no absolute cleavage between the *ought* and the *is* in Ethics, any more than there is in "Medicine." The needs of the body are as real as the body itself, and so are the means to its development and maintenance Yet Medicine treats also of what *ought* to be done. Medicine, like Ethics, is a normative science. But it is also real. The only distinction of "ought" and "is" which we recognise in Ethics is that of the laws of conduct and the actual practices of conduct. These two may not coincide, and it is the business of Ethics to assign these laws of conduct not to tabulate views or practices.

(7) And this leads us to another objection of Professor Bussel *—that the end contemplated in Ethics is always an ideal which the individual can never realise, an ideal which belongs to a world beyond the present, and is out of space and time, and so can give rise, not to rational judgments, but to vague sentimentalities and unreal yearnings which never can be satisfied.

Reply—Now, we admit that some ethical systems may be so described, particularly those which we shall afterwards discuss under the heading of "Elpistic" theories—theories, viz., which place the good of man in what has been described as "asymptotical desire," or in the working of the will towards an end which we may always approach, but which we can never realise. But Ethics, as we shall see later, has to do with a real end—an end which we can prove real, as real as man himself, an end, too, which man can reach—*quem homo consequi possit*. It has to do also with the means which lead thereto necessarily and infallibly. Then, in the matter of the criterion, Ethics deals with our human nature—a real principle, from which spring all the real properties and perfections, relations and needs of man. In the fullest sense of the word, therefore, Ethics deals not with sentimentalities but with realities, and with rational judgments concerning them.

* "Personal Idealism," pages 359 and 361.

CHAPTER II

ON HUMAN ACTS

In our last chapter we defined Ethics as the science of human action in relation to our last end, and we gave a brief account of what is meant by a human act. It will be our duty in the present chapter, first, to enumerate very generally the various kinds of human action, and thus to determine in a rough way the subject-matter or range of application of the science of Ethics; then, secondly, by a fuller investigation of the "elements" or "principles" of the human act, or of what makes an act human, to determine this subject-matter still more closely and scientifically.

(*a*) Division of Human Acts

The human act we defined as an act which is done under the control of Reason and will; and as Ethics is the science of human action or conduct we may regard any act that is controlled by the rational will as falling within the compass of this science and as governed by ethical law. Now, roughly speaking, the rational will controls two classes of acts—its own acts and the acts of certain other powers—or those acts which are done by and completed within the will itself, and which we call *elicited acts* of will; and those acts which, though done by other powers, are yet done at the command of the will, and are therefore called *commanded acts*. Both of these two classes of acts, and not the second merely (it will not be necessary to remind the reader), are commanded by the will, but it is usual and convenient to apply the expression "commanded acts" to the second class alone—that is, to acts that proceed from

other powers but at the command of will. Examples of these two classes will readily suggest themselves. "Wishing" is an elicited act of will, because it involves the exercise of no other human faculty but that of will. It begins and is completed within the will itself. On the other hand, walking and speaking are "commanded" acts of will, because they belong to and proceed from other powers, but are done at the command of and under the control of will.

The following is a complete enumeration of the various kinds of "elicited act"—wish, intention, election, consent, use, and fruition.*

Wish (*velle*) means simply the love of, or inclination of the will to, anything. It precedes all other acts of will. *Intention*† is a movement of the will to the gaining of an end through certain means. Formally, however, it appertains to the end, not to the means. It differs from wish because a man might wish to do a thing and still not form the intention of doing it. *Consent* is a movement of the will to the taking of such means as are necessary to the end. *Election* is a movement towards or adhesion of the will to some particular one of the many means possible. Election is preceded by the intellectual act of "counsel." *Use* is that act by which the will directs and moves the other faculties to realise the particular means chosen by the will. *Fruition* is the enjoyment of the end attained. Of these elicited acts three appertain to the end—namely, wish, intention and fruition. The other three appertain to the means.

Commanded acts it would not be possible to enumerate

* These are translations of the scholastic expressions—*velle*, *intendere*, *electio*, *consensus*, *usus*, *fruitio*.

† "Intention" is sometimes used to signify the object of desire. Mill defines "intention" as what one wills to do, as distinguished from "motive," or the feeling prompting to the act. With Bentham "intention" means that on account of which, or in spite of which, any thing is done. It includes, therefore, the pleasant and the unpleasant consequences, whilst "motive" means that on account of which a thing is done. This is also MacKenzie's meaning. Hegel distinguishes "purpose" and "intention." Purpose is the end desired with its concrete circumstances. Intention is the essential element in desire. Thus, to burn a house is the intention; to burn *this* man's house and in such a way is the purpose.

with any such precision because they belong to so many powers, and are often very complex. At present we can only divide them under the two broad categories of internal and external act—that is, the will can command the actions of the internal powers and of external powers. An INTERNAL human act is one that involves the use of internal mental powers only, like remembering and reasoning; an EXTERNAL act is one that involves the use of bodily powers also, for instance, the acts of the external senses and the various bodily movements. And though in the case of these outward actions the external element is neither prior in order of time nor the more important ethically, still it is customary to speak of the whole human act as external, and not merely that part of it which is material and can be seen or felt by others. Thus the purposeful killing of a man is accounted an external human act.

Now, it may be considered that in giving prominence here to the external element in human action we are extending the range of application of this science beyond its proper limit, since morality is a quality of the free and deliberate act only, whereas the movements of the body are material and determined, and subject rather to physical laws and conditions than to moral laws. But it should be remembered that though the external act is in part physical and material, the whole act and not merely that part of it which is internal is caused by and done under the control of the human will, and that therefore both "external" and "internal" make up between them one act, which, as human and controlled by will, has a right to be considered in this science.

It is well also to point out in this connection that it is exactly in the sense just explained that our internal will-acts are moral. For it is not because our internal will-acts reside in the will as their subject that they are free and moral (there is one such act that is not free and moral—namely, the desire for happiness), but because they are controlled by will. And since the external act is also controlled by will, it also is free and moral.

The division of human acts into elicited and commanded acts of will, and into internal and external, gives us some rough idea of the range of application of this science of Ethics. It is the science which prescribes laws for all *human* action, whether elicited or commanded, internal or external, in relation to our last end.

We must now go on to a fuller and closer investigation of the nature of the human act.

(*b*) Of What makes an Act Human

The human act is characterised by three essential qualities—(1) knowledge, (2) voluntariness, (3) freedom. All three are necessary to it, and, as necessary, they are called "principles" of the human act. Some acts fail to be human from ignorance, because a man does not know what he does, as when a person shoots at a bird and kills a man whom he had not seen; some because they are not voluntary—that is, they do not proceed from will, for instance, purely reflex acts, also, movements to which we are compelled under stress of violence; some, because they are not free, like the acts of madmen or acts done in sleep. But all three "principles" must be present in an act before we can speak of it as *human*.

For, as we saw, a human act is one that is controlled by will. But (1) will depends on intellect—it is a psychic appetite. It desires, therefore, only what is known, and what the intellect presents to it as desirable. Hence knowledge is necessary to the human act. (2) That the human act must be voluntary—that is, must proceed from the will either as elicited by the will or as commanded by it—follows from our very definition of the human act as an act done under the control of the rational will. (3) Again, the human act must be free. This also follows from the definition of a human act. For, as we shall see in a later chapter, a free act is any self-determined act of will, any act which the will causes in itself. But an act of will which the will does not itself produce, which is necessitated in the will by inner nature, or forced upon it by violence from outside (if

that were possible), is plainly not under the control of the will, and therefore such an act is not a *human* act. Consequently, a human act must be free.

Now, though each of these principles is necessary to a human act, still it is not unusual to speak of a *human* and a *voluntary* act as one, and to include all three conditions under the second condition, or voluntariness, the reason being that voluntariness, *when perfect*, includes all three. For, first, a voluntary act is one that proceeds from the will, and every will-act, as we have already explained, depends on knowledge. Again, an act could not be said to proceed, in the full sense of the word, from the will, or to be voluntary, when it is caused within the will either by nature or by some external influence. An act proceeds from the will or is voluntary, in the fullest and most perfect sense of that word, only when it is caused by the will, and such an act is, according to our definition, a free act.

A voluntary action, then, understood in its most perfect sense, is always free, and any act that is not free is voluntary in a qualified and imperfect sense only.*

But though voluntary acts and free acts may be regarded under certain technical conditions as co-extensive in their range, still it is necessary to insist that freedom is no part of the direct connotation of voluntariness, which latter term means simply that an action proceeds from will or that the will is directed or inclined to some object. And it is in this sense that we speak of voluntariness in the discussions that follow.

(*c*) On Voluntariness

The human act, as we have already seen, involves three conditions—knowledge, voluntariness, and freedom. Now, of two of these conditions it will not be necessary

* Aquinas defines a voluntary act as one that proceeds from will, with (in sense of *through*) a knowledge of the end. When free, such acts, he says, belong to the *will as will*. When not free they belong to will *as nature*.

We should notice, also, that of all the acts that proceed from will, only one is not a free act—namely, the desire for happiness. See Chapter on Freedom and Morality.

to speak at any length here—namely, of knowledge and of freedom. For knowledge is a necessary part of every will-act, and it will be sufficiently dealt with in our discussion on voluntariness. Besides, we shall in the present chapter consider the impediments to voluntariness, one of which is ignorance, and from our discussion on ignorance we shall be able to see how far knowledge is necessary to the human act. Concerning freedom, it is only necessary to remember at this point that any act is free which the will has power to do or not to do, and that in this sense freedom is necessary for every human act. An exacter and fuller account of freedom and of its relation to Ethics will be given in a later chapter.

But we must here enter upon a formal discussion of the various kinds of voluntariness, or the various ways in which an agent can be said to will anything, for it is not always easy to say what kinds of acts are voluntary, or how far voluntariness or involuntariness may attach to the same action, and, in that way, it is possible to mistake the range of application of our science which it will be remembered extends to voluntary acts only.

The following are some of the kinds of voluntariness which are of most importance in ethical science:—

KINDS OF VOLUNTARINESS

(I.) *Perfect and imperfect* voluntariness, according as we know clearly and fully intend what we do, or know it only obscurely and consent to it only imperfectly.

(II.) Simple voluntariness (*voluntarium simpliciter*) and conditional voluntariness (*voluntarium secundum quid*). The former means that the will either has no repugnance to the thing done or that it has momentarily put aside its repugnance in order to do the act; the latter, that we do a thing, but with a certain measure of repugnance. That this second kind, however—the so-called conditional voluntariness—has reference to involuntariness rather than to voluntariness will be seen from the following example, which also makes clear the distinction between simple and conditional voluntariness.

When the captain of a ship throws valuable goods overboard in order to keep his ship afloat in rough weather his act is *simply* or absolutely voluntary because his act is done with full knowledge and consent, but it is *conditionally* (*secundum quid*) involuntary, which means that he would not have thrown the goods overboard *if* there were no storm. In other words, he throws them overboard with repugnance. His act in this case is said to be voluntary simply (*simpliciter*) but involuntary conditionally (*secundum quid*).

(III.) *Direct* and *indirect*, or *in se* and *in causa*. We will a thing directly when we will it in itself either as means or as end (when wished directly as end it is wished not only *in* but *for* itself). Thus, the man who shoots in order to kill a bird wills both ends directly. We will a thing *indirectly* when we will not the thing in itself, but something of which it is a consequence. Thus the man who fires a bomb-shell at a monarch, knowing that it will kill the attendants also, wills indirectly the death of the attendants, and consequently the killing of them is voluntary, even though their death is by no means a pleasure to the assassin.

(IV.) *Positive* and *negative*. Positive willing is the willing to do. Negative* willing is the willing not to do. The man who voluntarily neglects his business is properly regarded as responsible for its decline as well as the man who injures it by positive bad management.

(V.) *Actual, virtual, habitual, interpretative*.† Voluntariness or intention is *actual* when we consent to what we do at the time of doing the act. It is *virtual* when the thing done is the *result* not of a present but of a former intention. It is *habitual* when the act done is not the result of any intention present or past, but nevertheless corresponds to an intention formerly made and never retracted. An example will bring out this dis-

* In negative willing the attitude of the will is not one of pure negation. The will must consciously refuse to act.

† These qualifying expressions are more often used with the word "intention" than with "voluntariness."

tinction of virtual and habitual intention. The man who sets out to walk along a road, and then in conversation with a friend ceases to attend to the fact that he is walking, virtually intends every step he takes, for each step is a result of the intention he has already formed. But the man who, at some time during his life, made up his mind to kill an enemy, and has not as yet retracted that resolution, and afterwards, having quite forgotten about his resolution, kills him for some other independent reason, is said to have had the habitual intention of killing his enemy. Intention is *interpretative* when we have never actually willed a certain act but *would* will it if we knew of it or of its necessity.

These two latter kinds of intention—habitual and interpretative—though not so important as the first two kinds, are not without their effects in morals and in civil law.

Of the distinction drawn in the third place between direct and indirect will we must now offer some further explanation.

OF INDIRECT VOLUNTARINESS OR WILLING *IN CAUSA*

In determining the various kinds of acts that lie within the ethical sphere, and may be good or bad, it is easy to see that at least all such actions lie within the moral sphere and are good or bad which a man consciously and deliberately elects to do. But sometimes, attached to those actions which please us and which we wish to do, there are *consequences* which do not interest us or which, perhaps, displease us, and it is not always easy to say whether in willing the act we may be justly said to *will* or be justly held accountable for these consequences, and more particularly whether, if these consequences are bad, we are bound always to refrain from the action to which they attach.

Now, the first of these two questions may be answered very briefly by saying that if a man knows that attaching to his act there will be certain evil consequences,

then, whether he likes these consequences or does not like them, we must regard their production as a voluntary act; for the will in causing an act from which these consequences spring is indirectly also the cause of the consequences of this act (*causa causæ est causa causati*). And this is none the less true because the consequences may sometimes be displeasing to us. For when we do an act we do the whole act, just as when we buy a house we buy the whole house ; and so a man is said to will and be the cause of consequences which, taken in themselves, he would not wish to produce, just as in buying a house we really will to own the whole house though some features of it may displease us, and even though it gives us no pleasure to own some parts of it. The will, therefore, is the true, though the indirect, cause of all the known consequences of our action, and *if the act that we do is a free act* and the consequences be foreseen then we are rightly held to be responsible for them.

But a more difficult question arises concerning a man's *moral obligations* in regard to these consequences, whether, namely, in the case of evil consequences, he is always bound to refrain from the action to which they belong. And though we have not yet given any principles of conduct which might guide us to the solution of this problem, still it arises so naturally out of the question of indirect voluntariness now under consideration that we shall be pardoned for making reference to it at this early stage of our work.

Acts that are in themselves good or indifferent are not always forbidden because of the evil consequences to which they lead. For though the person who does these acts is the cause of the consequences to which they lead, still he is not their *direct* cause, nor does his will *rest in them* as an object. It is always wrong to wish evil directly, for acts are morally bad or good according as the objects of our wills are bad or good. But such a rule cannot be applied in all its strictness to cases in which the will is not fixed on an evil thing, but is fixed rather on some good thing from which certain evil con-

sequences follow. It would, for instance, be an absurd thing to charge a ruler with evil-doing for engaging in a war which is otherwise just because he knows that many injustices will occur through means of it, or to prevent a man from saving his own honour even though some people might suffer from the disclosures that have to be made in his defence.

The question then arises—when may an act be done in spite of the foreseen evil consequences? and when is it forbidden on account of these consequences?

Plainly, if the consequences are all evil the act cannot be done. For an act that has no good consequences is bad intrinsically, since if it were either good or indifferent it should have some good effect. It would be at least an exercise of liberty. But our question gains point in the case of an act with mixed effects, some good, some bad, and concerning such acts we must determine when they are allowed and when they are disallowed.

Before, however, we answer this question it is necessary to remark that *causes* of action may be very different in kind and that they may bear very different relations to the effects that flow from them. The causes may be either *physical* or *moral* according as a man does an act himself or persuades another to do it. Also they are *proximate* or *remote* according as very few or many secondary intervening causes are necessary to the effect. Again, some causes are *natural,* others are *accidental.* Taking poison is a natural cause of death. A passing locomotive engine is often the accidental cause of fires in the vicinity of railways. These distinctions have a bearing on our question which we now proceed to answer.

Our answer is that acts, good or indifferent in themselves, but yet productive of evil consequences, are allowed under the following three conditions, all of which must be fulfilled:—(1) The bad effect must be merely permitted—it must not be desired in itself. For if the bad effect be desired in itself, evil is desired directly,

and it is never lawful to will evil directly. (2) The bad effect must be co-ordinate with the good. In other words, the good effect must not be itself a consequence of the bad effect, for in that case the bad effect would be willed as a means to the good effect. But to will a bad effect as means is to will it directly, for means are always willed directly—that is, they are willed, as we have already explained, *in* themselves though not *for* themselves or for their own sake, and, therefore, the will that is directed to them is necessarily bad. (3) There must be a sufficient cause for permitting the evil effect. A sufficient excuse is always required for the doing of an act from which an evil effect follows. And since the good effect is our excuse in the present case, the present condition amounts to saying that between the good and the evil effect there must be a due proportion. No man could for the sake of a very small good do an act from which follows a very great evil.

If these three conditions are fulfilled, an act, which in itself is either good or indifferent, is allowable, in spite of the evil consequences to which it leads. But if even one of these conditions be unfulfilled, then the act is forbidden.*

Following these rules we shall be able to compute when an act may lawfully be performed, which, though

* These conditions sometimes offer difficulty in practice. It is not easy to know when the good effect is proportional to the bad. In estimating the proportion there are certain commonsense maxims to be followed—for instance, that the more remote our act is from the effect (considering the number of intervening causes necessary to the production of the evil effect) and the less the likelihood of the effect following from our act, the less is the excuse required. We should also remember that if we decide on a course of action in one case—for instance, if we decide that there being no proportion between the good and the bad effect, the act is not lawful for us—then we must be prepared to forego this act every time the same circumstances are repeated. This of itself increases the awkwardness and evil of omitting the act, and hence a less amount of good is required in the case of acts which we often have occasion to do than in the case of uncommon acts. Again, if a man is bound from his position to guard generally against *this precise* evil effect, then a greater excuse is required for the permitting of the effect than is required in the case of a man who has no special duties in regard to this effect. Thus a soldier on guard should suffer almost any evil rather than do anything from which the betrayal of his comrades might possibly follow as an effect.

good or indifferent in itself, involves the occurrence of consequences that are morally evil. But of the two questions proposed by us, the first—namely, how far the effects of our actions may be regarded as voluntary—is the more important for our present purposes, for we are at present attempting to give a general account of what acts are voluntary and human, and, therefore, are subject to ethical rule.

(*d*) Of what makes an Act less Human

Having now determined what it is that makes an action human and thus brings it within the sphere of ethical science, we turn next to consider a kindred and not less practical question which also appertains to the nature of the human act—namely, what are those things that make an act *less* human, that diminish the moral character of our acts? In this, as in the preceding question, we shall do very little more than explain the teaching of the scholastic writers, and in particular Aquinas' teaching.

The perfectly human act is, as we saw, one of which we have perfect knowledge, and which is perfectly under the control of will. But opposed to knowledge is ignorance; and the control of the will is impaired from two causes—namely, violence from without and passion from within. And, therefore, we shall in the following sections consider these three things—ignorance, violence, and passion—in their relation to voluntariness and freedom.

of ignorance

Ignorance means absence of knowledge in one who has naturally the faculty of knowledge. In reference to action it may be either antecedent, concomitant, or consequent. Ignorance is *antecedent* when the act that we do is done *through* ignorance, and would not have been done but for the ignorance—on the contrary, would have

been avoided had we had any knowledge of our action. It is *concomitant* when it is done merely *in* ignorance, but not *on account of* ignorance, and therefore would have been done even if ignorance had been replaced by knowledge. Ignorance is *consequent* when it is itself consciously and voluntarily procured and maintained by the agent.

When ignorance is antecedent, the resultant act is not only involuntary,* but is actually opposed to our inner will, and therefore we are not responsible for it. Thus a man who fires at an animal, not knowing that a child is near, could not be said to kill the child voluntarily. Where ignorance is *concomitant* the act is simply *involuntary,* in the sense of not willed (it is not necessarily opposed to our wills), and we are not responsible for its performance. When ignorance is *consequent* the act is neither involuntary nor opposed to our will, but is simply *voluntary,* and we are responsible for its performance. Of consequent ignorance there are two kinds—ignorance which is directly willed and ignorance which is willed only indirectly. It is *directly* willed when we actually strive to remain in ignorance—that is, when we take care not to know; *indirectly* when we simply neglect to learn, but do not actually desire to be ignorant. The first kind of ignorance is called *affected* ignorance. The second when gravely culpable is called *crass* ignorance; and it is gravely culpable when we neglect to use what, humanly speaking, are ordinary means for its removal. Sometimes the removal of ignorance is possible by the use of extraordinary means only, and then our ignorance is not accounted consequent, but concomitant. Now, neither of these two kinds of consequent ignorance—affected or crass—makes an act involuntary, for the simple reason that the act done under their influence is due to that of which we are ourselves the cause. But though affected and crass ignorance do not wholly *destroy* the

* The scholastics use the word "involuntarium" to denote what is opposed to a man's will. The English word cannot be so used. It simply means "not voluntary" or "not willed."

voluntariness of an act, yet they do *impair* its voluntariness to some extent, and if the act be bad they diminish the evil of it; for it is better to refuse to know the law, so as not knowingly to break it, than to break the law with a full consciousness that we are violating it. In the former case the violation of law is accompanied by some respect, in the latter there is violation and no respect.

ON VIOLENCE

Violence destroys voluntariness and freedom in him who suffers violence, for an act done through violence is caused not by the agent who suffers the violence, but by him who inflicts it, whereas voluntariness implies that an act is done from the agent himself as cause.

However, it is sometimes hard to determine how far an agent who is violently compelled to an act is to be held responsible for the same. And this difficulty arises from two causes—first, because an act may be not wholly due to violence. A man may resist violence and yet to some extent co-operate with it. Secondly, even when the violence is such as cannot be resisted, still the will retains always the power of determining itself independently of the external violence used, for violence cannot affect the will. Questions, therefore, arise concerning the duty of external resistance and also concerning the internal consent which may be given. But these questions we shall not consider here, since we are here merely considering what things can effect voluntariness and freedom—violence being one of them.

THE PASSIONS

The effect of the passions on the voluntariness of acts is set forth by St. Thomas Aquinas in a number of propositions which have now come to be looked upon as necessary formulæ for the solution of practical questions on voluntariness and responsibility. We give them here with the briefest possible explanation :—

(1) *Concupiscentia antecedens auget voluntarium sed*

minuit liberum—that is, where passion is not itself consciously worked up, where it precedes our act, it increases voluntariness in the sense of increasing the onward movement of the will, but it lessens liberty since it brings the act under the control of the sense and not of will.

(2) *Concupiscentia consequens auget voluntarium*—that is, where passion is consciously worked up it increases voluntariness, for it increases the onward movement of the will. It also increases liberty in increasing the amount of free action.

(3) *Concupiscentia consequens et totaliter tollens usum rationis non tollit voluntarium.* Passion, when directly worked up, may completely take away the use of Reason, and still the act is voluntary and free.

(4) *Concupiscentia antecedens totaliter tollens usum rationis tollit voluntarium.* Passion which we do not ourselves cause, and which completely takes away the use of Reason, completely destroys voluntariness and freedom.

(5) *Concupiscentia non totaliter tollens usum rationis, et antecedens, minuit liberum.* Passion which we do not ourselves cause, if it should interfere with the use of Reason, lessens freedom for the reason given before.

These five propositions, in so far as they relate to voluntariness, yield the following resultant which Aquinas gives as expressing the general relation subsisting between passion and voluntariness—*concupiscentia magis facit voluntarium quam involuntarium*—the general effect of passion is to increase voluntariness in the sense of intensifying the onward movement of the will to any object.

It is usual in works on moral science to pay some special attention to the passion of fear.* Fear is the recoiling of the mind from impending evil. It has this

* The full enumeration and classification of the passions can be found in any standard work on Psychology—for instance, in Maher's "Psychology."

distinctive characteristic, that it induces the will to do an act which the will of itself would not do—that is, which it would not do were it not under the influence of fear. Thus the captain of a ship will, in order to save his vessel, throw out even valuable goods which it is no pleasure to him to lose. And though the throwing out of these goods is *secundum quid* involuntary—that is, would not be willed, did ordinary circumstances prevail, yet absolutely (*simpliciter*) the loss of them is voluntary since *de facto* these circumstances do prevail and the goods are thrown over. When an act is done *from* fear its voluntariness is lessened, but not when done merely *with* fear.

Fear, like the other passions, may be so strong as totally to destroy one's liberty, and the act so done is not a human act. It is an *actus hominis*, not an *actus humanus*. But if fear be not so strong as to destroy freedom, the act done under its influence is free and human, in the degree in which Reason is allowed to play its part. If the evil feared be grave, then the fear is grave; if the evil be light, then the fear is light. But these terms must be understood as relative to the person affected, for what would be grave fear for one person may be light for another.

But the positive law often invalidates an act which is done from fear, not because the act which a person does from fear is not voluntary in itself, but because it is for the common good that an act so done should be invalidated in certain cases. The conditions generally required for such "invalidation" depend upon particular forms of legislation and the kind of act that is being legislated for. There is, however, one condition that is pretty generally regarded as necessary in all such cases—namely, that the fear which invalidates an act must be excited by someone directly and wrongfully, and for the express purpose of obtaining consent to the act in question—"*directe et injuste incussus ad extorquendum consensum.*"

These are the principal elements that lessen the human

character of acts—ignorance, violence and passion *—and it is for the moralist to compute in individual cases how far an act done under their influence is voluntary and human and within the range of Ethical Science.

* Some ethicians give prominence also to *habit* as a fourth factor. The consideration of it here would bring us too far afield in a work like the present.

CHAPTER III

OF THE ENDS OF HUMAN ACTION *

HAVING in the preceding chapter treated of the human act considered in itself, we must now treat of the ends of human action, for, as we shall prove, every *human* act derives its specific quality from the end to which it is directed, and moral quality belongs to action in so far as it is directed by Reason to the final end.

We shall, therefore, treat of three questions:—

(*a*) Of ends of human action, and in particular of the last end.

(*b*) Of the *objective* last end, or of the object in which our supreme happiness consists.

(*c*) Of the *subjective* last end, or of happiness as a subjective state.

(*a*) OF ENDS IN GENERAL

(1) *All human action is done for some end.*

We have already distinguished between human acts (*actus humani*) and acts of men (*actus hominis*). Human acts, we showed, are acts that proceed from men as such—that is, from the will under the influence of Reason. An act of a man (*actus hominis*) is one which belongs to a man in some way, but yet does not proceed

* With the spread of the Kantian philosophy it became customary to regard all systems of Ethics which based morality on distinctions of "end" or "purpose" as spurious systems. The most recent writers, however, have returned to the older Aristotelian theory and regard Ethics as a teleological science.

We should mention that Kant himself saw no *a priori* difficulty in the conception of a teleological Ethics, for he actually began his exposition with an enquiry into the ends of human action, and it was only because he could not, amongst the various ends of action, find a *final* end or an end that was not a means to pleasure (an assumption which we shall disprove in the present chapter) that he rejected the theory of teleological Ethics and adopted the theory of autonomy, to be discussed later.

from will, and is not under the control of Reason. Now, these latter acts may, indeed, be directed to an end, but he to whom they belong does not direct them to their end. The beating of the heart has a purpose, but that purpose is of nature's making, not of man's. These indeliberate acts we now put completely out of our purview, for Ethics has nothing to do with them. We have to treat of human acts only, and concerning these human acts our first thesis is that they are all done for some end. We take exercise for health's sake, or to test our powers, or for mere amusement. We read for information's sake, or to pass the time. All these are acts of the will, and the will must wish "end," as is evident from ordinary experience.*

(2) *Besides human agents other things also act for ends.*

Everything that moves tends to the attainment of an end. But all action is movement. Therefore, everything that acts tends to attain an end.

Now, things move to ends in various ways and under the influence of different appetites. Human movements are self-directed—that is, they are the result of choice, and are done under the control of the *rational appetite* of will. Animals are moved by a *sense appetite,* and their acts are not self-directed, because they neither *choose* the end nor the means, nor do they formally realise the relation between means and end. *Aguntur potius quam agunt,* as Aquinas says. Plants and the inorganic substances are moved to their ends by what is sometimes called "*natural*" *appetite,* in the sense of an appetite which has no dependence on knowledge, whether intellectual or sensile,† but springs unconsciously out of the

* Many modern ethicians are not sufficiently careful to distinguish "end" from "consequence." End is nothing more than the object which is desired. Consequences are not always desired.

† The word "natural" has many meanings. Here it is used as opposed to "conscious." It is sometimes also used to signify that which is not the result of free choice. But it is most generally used to signify that which accords with the requirements of the law of nature. This third will be our meaning in the present work, except where we say expressly to the contrary.

very nature of the body, and is inseparable from this nature. Animals and men are also moved by "natural" appetites in so far as they are substances merely, not conscious beings. But whether the principle of action be intellectual appetite or sensile appetite, or the mere natural appetite of unconscious life, all action, all change, is a movement to the attainment of or the continued possession of some end.

(3) *Human acts derive all their character from the end to which they are directed.*

All movement is denominated by, and receives its direction from, the end. And as acts are movements they also receive their character from the end which they subserve. Acts in general are distinguished according to their objects. For when a thing is wholly for another then what it is depends on that other. Now, faculties are wholly for acts, and acts for their formal objects. Hence it is from the object that we determine the specific character both of the faculty and the act. Thus we distinguish the various acts of mind in Psychology by the objects which they concern. The sensitive act concerns a particular material object; the act of intellect a universal object. But the object of will is the end; and, therefore, the character of our will-acts is determined by end. Nor should we, as Aquinas remarks, regard the end of the act of the will as something quite extrinsic to the act. The end is the term and principle of the act, and therefore is part of its nature. It is because all will-acts are specified through the end to which they lead that the science of Ethics begins with the study of ends, or that it is teleological.

(4) *There must be a final end to which all human acts are directed.*

This proposition is simply an application of the general formula that a dependent series cannot extend to infinity. It must have a beginning somewhere. A dependent series is a series in which each member depends for its existence on some other member, that again on another, and so on. Now, a series of which

all the members are dependent, is intrinsically impossible. For a number of dependent members implies the existence of one independent member on which the others depend. If there be no such independent member the others could not have come into existence. Granted their existence, therefore, the existence of the independent unit is necessarily conceded. That independent unit will form the beginning of the whole series, and from it the rest will proceed in due order.

Now, the series considered in Ethics—the series of means and ends—is a dependent series. For it is because the end is desired that we desire the means. We desire *a* because we desire *b* to which it leads, *b* because we desire *c*, and so on Being a dependent series, this extending line of means and ends must finish somewhere with an end which is desired for its own sake only. That end with which the whole series of means and ends terminates is our supreme and final good.

(5) *All that a man desires is desired on account of the ultimate end.*

This is a highly important proposition. Aquinas' argument is twofold. One belongs properly to the present section on the ends of action, the other belongs rather to the chapter on the "good," but we may be allowed to anticipate it here.

The last end is related to movements of our appetite, as the first mover is related to other movements. But, in other movements, the secondary or subordinate movers act by virtue of and in so far as they are moved by the prime mover. Therefore, also, it is by virtue of the ultimate end that subordinate ends are able to move our wills; consequently whatever else a man may desire he desires it on account of the ultimate end—that is, as leading to the ultimate end, or as seeming to lead to it.

Again, anything that a man desires he desires under the aspect of good, which if it be not itself the perfect good, which is our ultimate end, *is sought as tending to the perfect good.* "For the beginning of anything is ordained to its perfect accomplishment, not only in the

case of things which are of nature's making, but also in the case of products of art. *Hence an imperfect good is always looked for as an instalment of the perfect,* which is our ultimate end." This principle, on which Aquinas lays so much stress (*omnis inchoatio perfectionis ordinatur in perfectionem consummatam*), will come before us again in other connections, and it is well we should have a clear idea of what it means. We shall illustrate it by an example. It does not mean that if a man puts a pound into his pocket he puts it there necessarily as leading on to more. It means that if a man wishes to put a pound into his pocket, then each shilling that he puts in his pocket is placed there as leading up to the pound. That is, whatever a man is assumed to desire as ultimate end, every direct step which he takes towards its attainment is taken by him as part payment of, or partial realisation of his final end. Now, in morals we desire the ultimate end, and must desire it. And, therefore, we desire all in reference to it.

Again, the principle that everything is done with a view to the ultimate end does not mean that in each act that we do we must think *actually* of the ultimate end. For a man does not think of the end of his journey at each step. It means simply that each end is sought *in virtue of* our ultimate end, as each step in walking is taken in virtue of the end we desire to reach in walking.

(6) *To any one individual there cannot be many ultimate ends.**

The reason of this proposition is contained in the very notion of ultimate end. The ultimate end of anything is that which fills up the measure of its capacities, and leaves nothing beyond, which that thing may achieve or tend to achieve. Thus the ultimate end of a plant is flowering and bearing seed, because these acts fill up its highest capacity, and to them all the other capacities are directed. So the end of each man will be found to

* This does not mean that the ultimate end must be one thing or simple. It means that there cannot be many objects *each* of which is our ultimate end.

consist in that act or object which leaves him nothing to be desired. This, whether it be a composite act—a sum of acts or objects—or a single indivisible act, is necessarily one. For the ultimate end is necessarily a natural end. But nature is always determined to one thing, and that one thing, and it alone, can adequately satisfy the natural appetite. The eye can see only, the ear hear only; hunger is directed to food only. So our final natural end is one only. This end might, indeed, be complex. If an animal were possessed of two perfectly co-ordinate appetites, with objects quite distinct from one another, the ultimate end of that animal would be the sum of these two objects, and, if possible, their simultaneous attainment. However, we should remark that in the case of organisms the ultimate end is generally one act or object, to which everything else leads up. For in all living creatures there is an order between the powers, one faculty being built on another and including the object of another, as object of intellect includes that of sense. And, therefore, we should expect to find that the highest act of the highest capacity will include in some virtual way the objects of the other capacities. That single highest act in which the ends of the others are included will be our final end. Of this, however, we shall speak later in the present chapter.*

* Dr. Simmel remarks in his "Einleitung" that "the assumption of a single last end is one of the most widespread errors of teleological thinking." We quite agree with Dr. Simmel that we have no right to take the existence of a single ultimate end for granted. With us, however, it is not an assumption, but an established fact. What the single end is will be shown presently, and the proof of it will rest upon the natural content of our appetites.

To the same effect we have the contention of modern evolutionist philosophers, that since man is possessed of many appetites he cannot have a single ultimate end. "The happiness which all men desire," writes Leslie Stephen, "is not a single end, but a name for many and radically different forms of gratification. The description just given (that of the ultimate end as single) would hold in strictness of nothing but a polyp—an organism swayed by a single desire." We reply that every organism must move to a single end, else it is not an organism. The end of a locomotive is one. The end of man with his complexus of faculties and appetites will be one also. In the case of man the separate faculties have each, no doubt, their own end; but they will be all contained necessarily in the object of the master appetite—the will, which is the good-in-general.

(7) *The ultimate end is the same for all men.*

That men often mistake their last end is true; and so far men certainly are not in agreement about what it consists in. Some men place it in riches, some in honour, some in bodily pleasure. Even about these things, however, there is this much unity—that they are all looked upon and desired as a perfection of some kind, and so far men are in agreement concerning the ultimate end. But apart from subjective views of the matter, and speaking of objective truth alone, we affirm that all men have a common ultimate end. For *nature*, as we observed in our last paragraph, is determined to one end always. Things, therefore, that have the same nature must in so far have also the same ultimate end, which is merely the perfect fulfilment of the common nature. The end of the eye is the same in all men. The end of the ear is the same for all; and so for every natural organ or function. The last end of our whole nature as men, the last natural end of our supreme appetite—that is to say, the appetite which includes the objects of all the others—must be one and the same in all. Hence the final end is the same for all men.

(*b*) The Ultimate End

Our ultimate end is twofold—objective and subjective. By objective* end we mean the end or object which we desire ultimately to attain, whether that object be within us or without us. By subjective end we mean the attainment and possession of the thing desired, or what is called beatitude. There can be no doubt about there being two ends of human action—a subjective and an objective end—as experience and Reason both prove, and they are certainly correlated, each being for the other.

* The reader should take notice of the meaning here given to the word "objective." By objective end we do not here mean "external end" necessarily, but simply "that thing which is desired." Our present question, therefore, is—what is that thing which the will ultimately desires, and on account of which it desires all other things? Whether this thing is external to the will or internal will be discussed later.

We must, therefore, enquire in what each of these ends respectively consists. The final end of the will, as of any other appetite, is determined by its formal object. Now, the formal object of will is the good-in-general, or happiness-in-general, and, therefore, everything that is desired is desired as leading to the good and happiness. The reason is plain. We can desire with our wills just what we can conceive with our intellects. And as our intellects can rise above all particular being and think even of being itself in general, so the will can desire the good-in-general and happiness-in-general. That is the adequate circle of the will's desires. Within that circle it can and must choose its particular ends. These two, however—the good-in-general, and its subjective correlative happiness-in-general—are not to be regarded as mere negative limitations of nature beyond which the will cannot desire anything, as we conceive the boundary line of an island beyond which we cannot walk. They are, on the contrary, the positive and permanent factors—the formal element, if we might say so, in all acts of will. Whatever we wish we wish as good and as happiness-producing in one way or another.

We must now treat of these two ends separately.

OF THE OBJECT OF PERFECT HAPPINESS—OR OF THE NATURAL * OBJECT OF THE WILL

Concerning the object of perfect happiness, or our final objective end, we ask two questions—(1) Is it *a priori* possible to determine the final objective end? (2) What is the final objective end?

(1) Is it *a priori* possible to determine our final objective end?

The final natural end of man must necessarily be that end which fully satisfies our highest natural appetite or capacity. Nothing can be to us a natural end that does

* Natural here is used to exclude both artificial and unnatural, but not supernatural. Our discussion will decide whether the end of man is in this world or outside it.

not form part at least of the object of some natural capacity. The ends of plants are those acts which they have a natural capacity of performing. The ends of the organs of the body are those functions which these organs are naturally able to perform. So, also, all human natural ends are objects of appetite to us, and our final end must be that end which exhausts fully the capacity of our highest natural appetite. But the highest appetites of man are necessarily conscious appetites, for the highest appetites belong to us not as bodies, but as rational beings, and, being conscious, these appetites are necessarily known to us.

Now, it seems to us little more than a truism to claim that if we knew the appetitive capacities of any living object we should be able to determine its final end. For the final end in every case will be, as we said, that object that fills up the measure of its highest capacity. Did we know the inner capacity and powers of a tree we should, even before it began to flower, be able to determine that its highest end was to flower and to reproduce other trees, since its capacities extend to these acts and do not extend beyond them. But we do not know the capacities or tendencies of trees until we see the movements that its capacities give rise to, and the ends they actually attain. But man's highest appetites or appetitive capacities are within himself; they are conscious and they are known to him, and therefore being conscious movements to certain ends, the ends of these appetites * are also determinable even before these ends are actually attained. If this were not the case, if we did not know the ends of our conscious appetites prior to their attainment, we could not move to their attainment. Since, therefore, our

* Writing in "Mind" (N. S., Vol. 13, p. 323) Mr. F. H. Bradley claims that a conscious function is always accompanied by a conscious natural appetite. And since a conscious appetite (and we assume that our highest appetites will always be conscious) must be known to us, it follows that the end of the function must also be known to us, for the appetite must consist of a tendency to realise the object of the function. "To me it seems obvious," he writes, "that if some function belongs to our nature there will be a need and a desire which correspond to that function."

highest appetites and their objects are known to us, it is possible to determine our final end.

We cannot, therefore, accept the view which is advocated by many recent evolutionary philosophers—for instance, by Green—that though we may determine the kind of action that will promote our final end, it is nevertheless not possible to determine the end itself or to say in what it consists.

We may not, indeed, know everything about our final end—its constitution and the place and time of its attainment—just as, whilst knowing that the object of hunger is food, we need not know the chemical constitution of food. But there is nothing to prevent our being able to determine the function and object that constitutes our final end, in so far at least as that end is necessary to the full and adequate satisfaction of our highest natural appetite; for the highest natural appetite will consist of a conscious tendency to a certain end, and consequently it is not possible that we should not know in what that end consists.

(2) What is the final objective end?

This end we now go on to determine; and first, *negatively*—that is, we must see in what our final end does not consist; second, *positively*, we shall inquire in what it consists.

(1.) The final end of man does not consist (*a*) in certain finite *external* objects with which some have identified it—*e.g.*, money, honour or power; (*b*) nor in any good of the body, like bodily health or strength; (*c*) nor in pleasure; (*d*) nor in any good of the soul, like the soul itself, or virtue, or knowledge; (*e*) nor in the adapting of our inner powers to outer environment.

(*a*) *It does not consist in riches,* for riches are nothing more than a means to other things, like knowledge, food and pleasure; *nor in honour* and glory, which rather exist in the minds of those that honour us than in us, and, besides, presuppose in us that very excellence and attainment which is our last end; *nor in worldly power,* since excellence is the doing of good things or the attain-

ment of good ends, not the power to do so, just as evil is the doing of evil things, not the power to do so.

Aquinas sums up all such "goods" in the following general argument:—The final end must fill up the capacity of the will for desiring (*quietare appetitum*). Now, that which fully satisfies the will must, first of all, exclude from the will the possibility of unhappiness, whereas finite external goods can be possessed along with unhappiness; secondly, the final end must give us all that we desire, whereas finite external goods still leave much to be desired—*v.g.*, knowledge; third, it must not of itself make us unhappy, whereas money and honour are often themselves the root of misery; finally, our highest natural end must be a good to which we tend necessarily. But external finite goods are not necessarily desired. They often come to us without our desiring them, and accidentally, and they are then called, not natural acquirements, but goods of fortune. Our final end, therefore, does not consist in such goods as riches or honour or power.

(*b*) *The highest good cannot be any good of the body*, because the body and its excellencies are only part of the human good, and the lesser part. Besides, man's highest good must certainly be a something in which he surpasses the lower animals, whereas there is no bodily good in which he is not surpassed by many animals. The elephant, as Aquinas remarks, surpasses him in length of life, the lion in strength, the stag in swiftness. Spencer, speaking of those very same cases given by Aquinas, maintains that, even though the lower animals live longer than man, our end may still consist in the maximum of vitality, because, though the lower animals surpass him in length of life, they do not surpass him in length and breadth combined—*i.e.*, in the amount of living activity that they put forth. With this contention of Spencer we cannot agree. Man's acts are, indeed, more varied than those of the lion, but man does not necessarily exercise more living activity than the lion, and experience makes it clear that the total output of life

is greater in the case of many of the lower animals than in the case of man. This point, however, will be discussed more fully later.*

(*c*) *The final natural end cannot consist in pleasure.* A full examination of this question is reserved for our chapter on Hedonism. We treat it here, following Aquinas, simply for the sake of completeness, and we shall, therefore, limit ourselves to one point of our proof—that, namely, which is derived from the analysis of "natural desire," by which we mean those desires which spring from nature itself, and are not the result of previous deliberation and choice. Before, however, giving our proof we may be allowed to repeat the sense of the question which we are here discussing. Our question is whether pleasure is man's final *objective* end—that is, whether pleasure is that which is wished in every desire, whether it is that on account of which we wish for all other things, whether it is that whose attainment and possession will thoroughly satisfy us.† We do not at present ask whether pleasure is our subjective last end—that is, whether the final act or state by which we attain and possess our final objective end, and which, therefore, constitutes the final inner satisfaction of the will, is pleasure. This question we shall discuss later, when it will be shown that pleasure is not even our final *subjective* end. Our present question is—Is pleasure that which the human will ultimately desires and must desire?

Our proof that pleasure is not our final *objective* end is as follows:—

That object will constitute our final natural end which is fundamental and primary in such desires as nature herself produces in the will. Now, pleasure is not the fundamental and primary object to which nature directs our wills, for *in the order of nature desire for an object outside the will is prior to all other desires, even the*

* Chapter on Evolution.

† It is evident that by "objective" here we do not mean "external." It is too plain that pleasure could not be external.

desire for pleasure. Hence pleasure is not our final objective end.

The principle here given—that the primary objective end of the natural appetites is external to the appetite and not within it—is a fundamental and a highly important proposition.* We know that we ourselves in our deliberate or artificial acts, as opposed to those movements which nature itself sets up in our appetites, can wish for these ends in any order. We can wish the external object without thinking of our inner state of pleasure, as when a man loves conversation with friends; or we can wish the state of happiness first and then look about for an object which will make us happy. In other words, whatever be the order of nature's desire, we can by reflection return upon it and take its ends in any order whatsoever, either external object first or pleasure first. With these artificial acts we have for the moment nothing to do, but are interested only in what we have called the *natural* desire of the will. The question is—On which of these two ends has *nature* fixed our wills primarily—the inner state of happiness or the external object? We answer—On the external object.

Our proof is as follows:—Will and the appetites follow cognition. We desire that which we know; and we naturally desire first what we naturally know first. But the primary† and natural objects of our understanding are external things, not states of the understanding itself, of consciousness, or of will. All knowledge begins in the external senses, and the external senses know only external objects. For example, the sense of sight is not immediately conscious of any particular state

* This doctrine was expressly taught by many of the schoolmen besides Aquinas. In his account of Peter Lombard's philosophic teaching ("Die Philosophie des Petrus Lombardus und ihre Stellung im Zwölften Jharhundert"), Dr. Espenberger writes:—"Indes nicht die Lust als solche ist das letzte Ende unseres Handelns, sondern ein Etwas, eine Sàche die uns Lust gewährt." The same doctrine is taught by many modern philosophers who are not of the scholastic tradition.

† Primary, both chronologically and rationally. The natural foundations are deepest and first, even chronologically.

of itself, but only of the material world beyond itself. And as intellect follows the senses its primary object must be something in these external objects and not a state of consciousness or of will. All knowledge begins, therefore, with the external world, and only later, and by a reflex act, do we come to apprehend our own subjective states. A baby, as certain modern philosophers point out, looking upon the lighted candle, lives wholly *out of itself*,* that is, it has not yet learned to reflect upon itself. Its knowledge of self comes later. And as the knowledge of self is only secondary in the order of nature, so also is the appetition of self or of any state of self only secondary in the order of nature. The will, therefore, is fixed upon the external object primarily, and it is *because* the will is fixed upon the external object that it desires the state of pleasure or delight which follows on the attainment of its object.

On account of its importance we will develop this point a little further.

No *natural* conscious impulse or craving is ever primarily a movement to a mere state of that in which the impulse is excited. That in which nature excites

* To the same effect we have Prof. Taylor's argument in "Problems of Conduct" (page 77), that the object of knowledge is not the "self" or subject, neither is it the object in relation to a self. In knowledge, he tells us, we often are aware of nothing but the external object, and so far as knowledge is concerned we are at that moment nothing more than these external objects. "At these times," he writes, "a man loses all consciousness of himself as in any way being anything more than the succession of lights and scents and sounds, or of these as in any way objects other than himself." And on page 78—"The subject-object form of consciousness" (that is, the form in which we know an object merely as related to ourselves), "is not a primary and inseparable form of human experience. There is the more primitive state which was probably our condition in our ante-natal days, as well as in our earliest infancy. At this earliest stage of experience we have as yet neither 'subjects' nor 'objects' (in the sense of object as related to us), but impersonal psychical contents" (that is, we have only contents of which the self forms no part).

This view of Taylor's is, of course, an exaggeration. The knowing subject never *becomes* the object which it knows. His view, however, emphasises a truth which relativists often forget, that in common experience the content of our consciousness often includes no reference to ourselves, and that, as Ed. von Hartmann says, the more primitive and naïve our consciousness becomes the more objective it becomes, and the less it tells us of the self or of its states.

conscious craving is moved by nature primarily to an outer object and only secondarily and consequently to the state of itself which that object is to induce—namely, happiness.

Thus the first desire of an animal or of children (the first tendency, for instance, of hunger or of thirst)—*a desire which is undoubtedly due to the working of the inner nature of the appetite, and represents its pure natural operation*—is always a desire for some object other than pleasure. For the desire of pleasure can only arise when experience has made known the existence of pleasure, and, since pleasure arises first on the attainment of some end of desire, it follows that pleasure becomes known to us or is first experienced on the fulfilment of or in the obtaining of the object of one's first desire. Hence pleasure is not itself the object of the first desire of any appetite.

Again, nature does not drive the bird in building-time to remove from the appetite a certain inner state of uneasiness and to substitute for it another state of pleasure or rest. Nature directs the bird simply and directly to build a nest, and as a result of the pursuit of and the attainment of that object the inner feeling of unrest is removed and pleasure ensues. It is so also even in the case of those conscious, particular, yet natural desires which arise in a man independently of free will. The man who loves money or conversation with friends thinks primarily, not of any inner state which is induced by their possession, but of these objects themselves, and in the attainment of these objects he is at rest. We can, indeed, if we care, wish directly for happiness or contentment, and we often do so; for, as rational beings we are gifted with this power of reflection, and through it, as already said, we can take all the steps of nature singly, and in any order we like, even in an order opposed to that of nature. In other words, we may, by a positive act, and by reflection, first fix our attention on our own inner happiness, and then seek out a means of promoting it. But with

all natural craving this order is reversed. The love of friends, the love of man for a woman, the love of boating, of hunting, are all primarily movements of the appetite to outer objects—*i.e.*, to things outside the will, and to happiness or pleasure secondarily.

We may, therefore, state our argument as follows:—The fundamental and primary natural object of our will, as of any other faculty, represents its final natural end. But pleasure is not the fundamental and primary natural object of our will, but some other object outside our wills. Therefore, pleasure is not our final natural end.

(*d*) *Our final objective* end cannot be something within the soul; it cannot be the soul or the self or any state of the self, or self-realisation.*† The proof of this thesis is the same as that given in the question whether pleasure is our end. As we have seen, the fundamental natural desire of the will is a desire for something beyond the self, and that something must be our final end. St. Thomas Aquinas meets the theory that the end of man is the maintenance or realisation of the individual, or of the life of the individual, or the self—a theory which is very prominent in modern Ethics—by the simple argument that the captain of a ship never dreams that the end of the ship is its own realisation, continued existence, or development, or that it is his end as captain to keep the ship in being, to realise it, or to develop it. The end of the ship is the attainment of that definite object which it is fitted to achieve—the carrying of its freight safely to port, and his end as captain is to guide his ship to harbour.‡ So also man—his own guide and the shaper of his own destiny—cannot have it as his end to keep himself in being or to develop himself, but to attain those ends which he is naturally fitted to attain,

* Our meaning here is, as has been already explained, that *that to which the will is finally directed* is not something within the soul. See note, page 53.

† Bradley, "Ethical Studies," page 59. For further treatment of this question of self-realisation, see Chapter on Evolution.

‡ "Summa Theol.," I^{a}., II^{ae}., Q. II., Art. 5.

to do such acts—that is, to take such means as will secure him the final object of the whole unity of the appetites within him.* These appetites, as we have seen, all tend naturally and primarily to an object outside of themselves and outside of man. So also their complexus must tend to an external object. *Naturally, of course, the attainment of any end involves development of the self, its sustainment, and even its increase. But such development supposes the end attained,* and consequently our own development or realisation is not our final end. As St. Thomas puts it, the "adeptio ipsa" (attainment) and the "usus," or enjoyment of the end, belong to the soul, but the end itself which is sought is quite distinct from the soul or the self.

OBJECTIONS

(1) Evolutionists find some difficulty in the doctrine that the final end of a thing can be something external to the thing itself. Growth or evolution, they tell us (and progress to our final natural end they necessarily regard as in some sort an evolution), is a movement from potentiality to act, from a lower condition of the growing self to a higher and better condition of the self. Our final objective end, therefore—the end to which our movements are all finally directed—will be that highest and most evolved condition of the self to which our faculties and our potentiality extend.

Reply—Before considering this objection we may be allowed to repeat what we have already explained, that in the scholastic doctrine it is the objective end alone—the "res ipsa quæ appetitur ut finis"—which is regarded as external—as "aliquid extra animam." The

* In this argument from analogy, drawn from the aim or purpose of the captain in respect to his ship, Aquinas evidently reasons on the assumption which he has already proved, that as the function of a ship is movement, and movement is always directed to an external end, so the human functions from which we determine the final end—namely, our cognitive appetites—have their primary natural object without and not within themselves.

subjective final end, the act whereby we attain and possess the *res appetita*, or, to use Aquinas' expression, the "usus" or "adeptio" of the objective end, is in the scholastic philosophy expressly described as an inner act of the soul. Progress is so manifestly an act, habit, or condition of the evolving subject itself that it would be absurd to think that the scholastics made no provision for a subjective final end, and, as we say, they expressly describe *the attainment* of the final end as a soul-act, as "aliquid animæ." But that thing which we finally tend to attain, and which serves as the first principle of all human action, is, as we have seen, in scholastic philosophy, external. Again, Aquinas even qualifies his assertion of an external objective end when he writes that the objective end is *not wholly extrinsic* to, or divided from, the human act. "The end," he says, "is not altogether extrinsic to the act because it is related to the act as principle or as term."* Thus the objective final end, though external, is still to be regarded as standing in intimate relation to the agent, and even as completing his act, since a cognitive and appetitive act can only be completed by the object known or desired.

These explanations being given, we may proceed to answer the evolutionist's difficulty. The theory of the evolutionists that progress towards one's natural end must necessarily consist in movement towards a higher or more complex condition of the self is founded on a mistaken analogy between human progress and mere vegetative growth or the growth of plants. It is true that the plant in growing tends directly to the attainment of some inner state or condition of the plant itself.† Vegetative powers, as Aquinas writes, concern the *corpus proprium*, the body of the individual ("*corpus animæ unitum*"), and, therefore, progress in the case of these faculties means movement to the attainment of some

* "Summa Theol.," I., II., Q. I., Art. 3.

† This is true of at least two of the vegetative faculties, the *nutritiva* and *augmentativa* ("Habent," as Aquinas writes, "suum effectum in eo in quo sunt"). It is not altogether true of the *generativa*.

higher condition of the growing subject, such as greater quantity in the substance or greater differentiation of the parts.

But the cognitive faculties, whether sensuous or intellectual, extend to other objects besides the self, and, as we have seen, their first and natural act concerns exclusively external objects. Natural progress, therefore, in the case of these faculties means movement not to a higher condition of the self, but to a fuller and fuller attainment of objects beyond the self. But the differentiating mark of human progress is given not in what is lowest in man but in what is highest, not in the vegetative faculties but in the intellectual; and, therefore, the end of human progress must be the attainment through knowledge of some object beyond the self, some object, as we saw before, which will fully exhaust the capacity of our cognitive powers and bring the appetites to rest. Man's final objective end, therefore—the "res quæ appetitur ut finis"—cannot be a condition of the thinking self.

But is not knowledge also a condition of the self—evolutionists may enquire; and is it not merely as affording us increased power of mind, more general information, a more refined culture, or some other inner condition of the soul that knowledge is desirable? and, therefore, is not our objective end (the *res quæ appetitur*) an inner state rather than any outer object?

Our reply is—We are here enquiring about that thing which is finally desired by men. But the end of thinking cannot be the inner power to know nor the inner habit of knowledge (that is, knowledge possessed but not actually in exercise). Powers and habits of soul are of value only in so far as they lead on to acts. The power to walk, to sing, to eat is useless if it does not lead on to operation; and even habitual knowledge, or knowledge which is not actually in exercise, is valuable only in so far as it may at some future time be exercised. The act of knowing, therefore, is, as end, ulterior to the power of knowing and to habitual knowledge.

What, then, is the end of the act of knowing? In other words, to what is the mind directed when it knows? Plainly to its object. *It is the object that interests the mind in knowledge, not its own act.* It is of the object that it thinks. The object, therefore, and not the *act* of knowledge will be our final objective end—the final *res appetita*. But our final end is to be attained through knowledge. And since, as we have said, external things are, as objects of cognition, more fundamental in the order of nature than any internal state, it follows that our final natural objective end will be external.

(2) Another objection which has been practically met already, but to which we may here give brief but formal mention, is that in desire we move, not strictly speaking to an object, but rather to the attainment or possession of an object, and the possession of an object is subjective.*

We reply that the possession or attainment of a thing is our subjective end, but the thing attained is our objective end, and the latter is prior as cause of our movement. But to argue that because in desire we move to possess an end, we therefore move to a subjective state only, would be illogical. A stone in falling towards the earth moves like the will to the attainment of an end, yet no one would say that its end was a subjective state. The end or objective of the stone is the point to which it moves. So also the objective end of the will, the thing which it desires to attain, may be beyond the will. But the attainment of that object is our subjective end.

The end of man is neither holiness, nor virtue, nor "peace of conscience" † (Gizycki), *nor holiness with its attendant happiness* (Kant).

Holiness may mean rightness of life. As so under-

* This is what Bradley seems to mean when, having denied that pleasure is our end, he insists that "in desire what we want, so far as we want it, is ourselves in some form, or is some state of ourselves; and that our wanting anything else would be psychologically impossible" ("Ethical Studies," page 62).

† "Students' Manual of Ethical Philosophy," page 84.

stood it is not our final end itself, but only direction to our final end. And the happiness which results from holiness,* or peace of conscience, supposes that our final end is either aimed at or is already attained, and, therefore, it is not itself our end. Holiness, on the other hand, may mean *virtue*. But in that sense it is only a means to good acts, and hence it cannot be our final end. And what we say of holiness we say of what is called "perfection" as end (Wolff). Inner perfection is either a means to good actions or a result of them. But a good action is action which aims at our natural end. Hence perfection cannot be our end.

The final objective end of man is not knowledge.

This thesis we have already anticipated. We give it prominence here because we are considering the claim of the various states of soul to constitute our final objective end, and knowledge is the principal of these states. The act by which we shall attain our final end will, as we shall show later, be an act of knowledge. But knowledge is not our final objective end—the final *res appetita*—for, as we have seen, where the act of knowledge is natural and spontaneous, the mind thinks not of the act itself but of its object; and, therefore, in the case of these same natural and spontaneous acts, our wills are borne on to desire the object and not the act. And hence the *res appetita* is not knowledge, but the object of knowledge. Again, our final objective end is *that* which we finally tend to possess. But knowledge is itself the possession of an object. Now, possession is of many kinds. We possess money by holding it in our hands; we possess friends by intercommunion with them. Knowledge is but a species of possession, the

* "Holiness" with Kant means the love of law for its own sake. Its attainment is supposed to require an infinite time; for though, according to Kant, we can and ought to wish for law for its own sake as distinct from pleasure, yet we are always drawn by pleasure also. To get rid of this natural attendant on human action will require, as Kant observes, an infinite time. Also, that an adequate happiness may follow upon holiness, postulates an infinite power interested in the moral law. These are Kant's proofs for the immortality of the soul and for the existence of God.

possession of that which we know. Hence knowledge is not itself that which we finally aim at possessing.

Besides, enjoyment arises from the attainment of our end. Now, though knowledge is a necessary condition of enjoyment, still the enjoyment that arises in knowledge springs generally not from the fact that we possess this inner state of knowledge, a state which generally escapes our attention altogether, but from the object itself which is known. We enjoy not our knowledge of a thing, but the thing itself. Knowledge, therefore, is not the end. No doubt, we can by a reflex act make knowledge an object of our attention and gain pleasure from our consciousness of knowledge possessed. But, except in the case of positive reflection on knowledge, the enjoyment of knowledge springs, not from our consciousness of any inner act of the mind, but from the object which is known. Hence knowledge is not our final objective end.

The end is not culture.

As knowledge, holiness and happiness are not our final objective end, so neither is culture our end. It is not that which our wills naturally and finally desire. First, the final end of the individual is not his own culture, because culture is an inner state, and an inner state cannot be our final objective end. Second, culture is a means merely—a means to the doing of refined acts, and consequently it is not our end. And as the culture of the individual is not our end, so neither is our end to be found in the culture of the race. Modern evolutionists of a certain school place the end of individuals in the ever-increasing culture of the race. But as culture and that which it involves, like knowledge, good-nature, &c., as states of the individual are not our end, neither are they as racial our end. To adapt Aquinas' simple argument. If an inner state is not the proper end of an individual ship so also the proper end of a company of ships cannot be an inner state. So we do not regard the final objective end as a state of the

individual man or of the race of men. The culture, therefore, of the race is not our end.

All these goods of the soul, the substance of the soul, its faculties, its habits like holiness, its acts like knowledge, St. Thomas excludes by one all-embracing argument—they are all ordained to something beyond themselves. The substance, faculties, and habits of the soul are ordained to acts—they are means to acts, and, therefore, cannot be the final end. And acts of the soul are themselves ordained to something beyond themselves—namely, to their objects. The acts of the human soul are means to the possession of objects. These acts, therefore, cannot be the final objective end of man. They are not that which the will ultimately seeks, and the possession of which will give it rest.

(*e*) *The final objective end is not adjustment of inner powers to outer environment* (evolutionists).

As the final end cannot consist in any good of body or soul, so neither can it consist in any internal good *in relation to* our surroundings or in the adjustment of inner powers to outer environment. Adjustment or equilibrium of our powers in reference to environment could no more constitute our final end than the harmonious relations of ships making for port could be the end of each. Adjustment to conditions of environment is, no doubt, a necessary condition of progress towards our end, for all organisms, individual and social, presuppose the harmonious working of part with part and also harmony with their surroundings. But just as the adjustment of one organ to another within the body is not the end of either organ or of the two together, so the end of man cannot be his adjustment to the social environment. However, this subject of adjustment to environment will be more fully treated in our chapter on Evolution.

(II.) *The final objective end of man is the infinite uncreated good.*

Just as the final end of a tree must be the realisation of its full capacities as a tree, so our final end as men must

fill up the capacity of the will for desiring. The conscious natural appetites hold the same place in the human constitution that the unconscious appetites hold in the vegetative world. But the final end of a plant will be that which exhausts fully its appetitive capacity. Therefore, the final end in the case of a man will likewise be that which fully exhausts his appetites. "Nothing," says Aquinas, "can be our final end which still leaves something to be desired." Let us see, therefore, what is that object, the possession of which alone leaves nothing to be desired.

As the object of intellect is the true-in-general or being-in-general, so the natural object of the will is the good-in-general—*bonum-in-universali*. But nothing short of an "infinite" can fully exhaust the possibilities of that object and of the capacity of the will of which it is the end. Therefore, the infinite is the final objective end of the will. No other object can finally satisfy the will. No matter what finite object we may select there will be always objects realising different grades or kinds of good outside of that final object, every one of which kinds of good is contained in the object "*bonum-in-genere,*" and every one of which, therefore, comes within the capacity of the will. Hence a finite object, or any number of them, must always leave some parts of the capacity of the will unsatisfied.* They are, therefore, not our final end. Nay, even the complexus of all finite objects cannot be our end. First, because a sum of finites is itself finite; secondly, because, even were the complexus infinite as regards the number of things in the world, still, in that complexus many individuals must be imperfect, since in any group of objects one thing must limit another. Thus, there cannot be in the world an infinite amount of iron, since some of the places that could be occupied by iron are occupied by sand or water. In the same way, therefore,

* Perhaps this is what Schopenhauer means when, speaking of our condition here below, he refers to man as "a burlesque of what he should be" ("Studies in Pessimism," page 24).

even the whole complexus of finites is imperfect, and therefore, it cannot fully satisfy the will; thirdly, because the will could not enjoy the whole complexus in a single act, whereas the perfection of blessedness consists in the simultaneous having of all that we desire; fourthly, because each of these finites has an end beyond itself. In nothing short of the infinite, therefore, shall the will be satisfied, and, therefore, nothing short of the infinite can be our final end.* Whether that object be real or only a thing conceived by the intellect we shall presently enquire. Our present contention is that, real or imaginary, the infinite good is the natural end of the appetite of will, and that only in that end can the will be set at rest.

The objective end of man—a real object.

We have now seen that the natural object of the will—the object which alone can satisfy the natural craving of the will—is the infinite good. We stated also that we had yet to decide the question whether that infinite good was only a thing imagined or conceived, or whether it was a real object, really distinct from and outside our intellects, as the objects that we see and feel are outside the senses of sight and touch. This question we now proceed to answer. But before doing so it may be well to remark that there is another science quite distinct from Ethics—namely, Natural Theology—whose province it is to prove the reality of the infinite good, and which puts the existence of the infinite good beyond all doubt. We are here merely stating one argument, an argument that arises naturally from the consideration of the *human*

* St. Thomas' enthymematic presentation of the above argument leaves him open to some misconception. He argues: "Objectum voluntatis quæ est appetitus humanus est universale bonum, sicut objectum intellectus est universale verum; ex quo patet quod nihil potest quietare voluntatem hominis nisi bonum universale, quod non invenitur in aliquo creato sed solum in Deo" ("S. Theol.," I., II^{ae}., II., Art. 8.) It will be understood, however, that just as the object of the intellect is not the infinite but the true-in-general, so *bonum universale* as object of appetite is really not *bonum universale* in sense of all goods or the infinite, but the good-in-general (*bonum-in-universali*). However, what we have said in the text holds true—the only object that can satisfy such a desire of the will is the infinite good. For fuller treatment of the argument, see Cajetan's Commentary.

act which is the subject of Ethics, and we use it without prejudice to the splendid arguments of Natural Theology. To these arguments the present one is simply offered as a useful and interesting addition.

We go on, therefore, to show that the infinite good is real—*i.e.*, that it is not an abstraction or something merely conceived by the mind. And we prove this proposition by means of a principle which is certain from Metaphysics, but which we hope also to elucidate and establish here—the principle, namely, that the natural end of a real and natural thing must itself be real; in other words, that *nature does not act in vain*.* This is an old axiom of the Aristotelian and mediæval philosophy which modern science has confirmed and illustrated in a thousand ways. Thus, to take one or two examples, if it be certain that the natural end of the heart is to send blood through the body, then, since the heart is real, blood must also be a reality. And if food is the natural end of the natural appetite of hunger, then food is real. And when we say that food and blood must be real, we do not mean that they must exist here and now, but that either they have existed, or do, or will exist, and in some place—we mean simply that they are real, that *the natural object of every natural appetite is necessarily real*. And, therefore, since the infinite good is the necessary natural end of the appetite of will, the infinite good is a real object and not an abstraction.†

* This often misunderstood principle, which was so prominent a feature in Aristotle's philosophy, does not mean that in nature everything attains its final end. It was as evident to Aristotle as it is to us that of the millions of seeds, for instance, that fall in the forest very few attain their end. The principle means simply that where nature appoints an end, that end is a reality, and can, given the proper conditions, be really attained.

† The reader should compare and contrast the argument here given (a form of argument which is common in Aquinas, and is used by him to prove, amongst other things, the immortality of the soul) and the modernist view of the proof for God's existence, which latter view we condemn as, not only untrue, but as contradictory and absurd. The modernist view is that the existence of God is not provable intellectually, that yet we know Him to exist because of a feeling of need for God—a feeling by means of which we are brought into direct communication with Him and perceive Him in some way, or feel Him, as truly, though perhaps not so clearly, as we feel many individual objects

Let us examine this principle a little more fully, for we believe it has only to be fully understood in order to secure for itself immediate acceptance. There are three conditions that must be fulfilled before we can say with certainty that the object of an appetite is necessarily real, all of which conditions are, indeed, implied in the word "natural," but yet they require to be expressly formulated. These are—(1) the appetite in question must be an *original* part of our constitution, and not something artificial; (2) the object must be essential, and, therefore, desired by *each individual* of the species to which the appetite belongs; (3) it must be a *necessary* object of appetite, and not merely a *suitable* object. To explain:—(1) The desire must be original in our constitution like the desire for food, not artificial like the desire of the miser for hoarded wealth. For what we say is that *nature* does nothing in vain, but we do not attribute such unerring realisation to the desires of the miser or other artificial desires, which we admit are often in vain. (2) The objects must be essential, and so must be desired by each individual. Consequently, the object of a desire or appetite is not necessarily real if it is an object of desire only (*a*) under certain circumstances or at certain times, or (*b*) for some men or for a particular

of the sensuous world. But being perceived by feeling only, we can only apprehend God as phenomenon.—His noumenal or real existence, it is said, is hidden from us.

Now this modernist theory is opposed in every way to the line of argument followed in the text. For (1) the argument given in the text is merely used in confirmation of the other intellectual arguments of Natural Theology, such as the argument for the necessity of a first cause, arguments which, we maintain, establish God's existence beyond all possibility of doubt. (2) The argument in the text is itself an intellectual argument and proof of God's real noumenal existence. We know that the natural end of a natural appetite must be real. And hence we argue that, since God is the end of the natural appetite of will, He must be real. (3) Our argument does not presuppose that our intellect apprehends God immediately as it beholds the simpler mathematical relations of whole and part immediately, and as the senses or feelings apprehend their object immediately. This is the view of the ontologists which Aquinas expressly condemns. Our argument, following Aquinas, is that the immediate and formal object of intellect is being-in-general, and that of will is good-in-general, but since God is the only thing that can fully exhaust the capacity of these objects and of the faculties that concern them, He is our ultimate end, and real.

class of men only. Thus (*a*) we cannot (like the modernists) affirm that the Christian revelation can be shown to be genuine on this natural ground alone that Christianity is a need, and that wherever it is discarded men become degenerate. Christianity (if we might borrow an illustration from revelation) was not a need before the fall of man. It is not needed, therefore, under all circumstances and at all times. (*b*) Food must be a reality because it is a need for every man; but we cannot postulate the reality of bread or of any special kind of food merely on the ground that it is desired, since it is desired not by all men but only by some. Again, truth in general is desired by all men, and, therefore, the means of knowing truth must be a reality. But the knowledge of Mathematics or of Physics is desired by particular classes of men only, and, therefore, the mere desire for these does not prove that a knowledge is possible of special sciences like Mathematics or Physics.* The object, then, must be a need of every individual of the species to which the need belongs, and it must remain *the object of their appetite* under all circumstances. (3) The object must be *necessary* and not merely suitable for the satisfaction of an appetite. Thus, books are suitable to and satisfy our desire for knowledge. But we could not on that account alone postulate their reality, since they are not absolutely necessary to knowledge.

All three conditions are contained in the word "natural," and they will, therefore, be understood as implied whenever we use the word "natural" in connection with our present question.

This explanation being given, we go on to show that the object of a natural appetite must be real. Suppose, therefore, that some day in the distant future we should come across a human heart, and should come also to

* Neither can we on the mere ground of satisfying a need, postulate the truth of any special law of Mathematics or Physics. We could not, for instance, postulate the principle of the uniformity of nature on the mere ground that it satisfies the need of "order" in our conceptions o physics, for this principle belongs to a special science.

know that nature had made that heart, and the valves in it, in order to send blood through veins, we should then be at once certain (even though we had no other ground of certainty than this) that blood and veins were a reality. We might not be certain that the heart had succeeded in sending the blood through the veins, but we should be certain that as the heart was real, blood and veins were also real. And suppose that we found a tooth and knew that that tooth had as its natural end to chew food and prepare it for the stomach, then we should be absolutely certain that, as a tooth is a reality, so also its natural object, food and stomach, must be a reality. The reason is that nature does not act in vain. For nature does not think out, as we do, her plans bit by bit. She does not to-day produce a random object and to-morrow determine its end. She does not first make a heart, and then declare that a heart is good for driving blood through a body, and then proceed to make blood and a body. *It is because the end is real that she takes real means to its accomplishment.* It is because she wants the blood to course through the body that she makes the heart. Hence, if we discover that the means are real we may logically argue that the end is real also. Other examples of this principle will readily suggest themselves. If, for instance, a muscle be real, and its natural end be to move a limb, then movable limbs must be a reality; and if the natural pores of a tree be meant to suck up moisture, then, seeing the pores of a tree, we should judge with absolute security that moisture was a real thing in nature, and not a mere imagination or abstraction of our minds.*

* In applying this reasoning to the case of the will it is not necessary to suppose that the will is a distinct faculty from the rest of the faculties, or that it is a faculty at all, but only that man is naturally a desiring or conative thing—that he is not like a stone which has no desire, that we are naturally conative beings like the plant or animal which, of itself and as a result of natural power given it, moves to ends. Some philosophers have considered that motion and appetite are not natural phenomena and original, but only accidental results of knowledge. Nothing could be more opposed to all that we know of the animal mechanism than this view. The motion of a plant growing, and, more particularly, the desire of animals, are not an after-effect, or accidental,

But the law that holds for limbs and the pores of trees holds also for the human will. Here we have a power of nature, directed by nature primarily and essentially and necessarily to one end only—namely, to the infinite good. And, therefore, we argue, since the will and its act are real, so also is the natural end of the will real—namely, the infinite "good." The last end of the will, therefore, is no mere abstraction. It is no universal *in mente* merely. It is the *real* infinite good.*

To the foregoing line of argument the following is a *possible difficulty*:—the axiom on which the argument here defended rests, namely, that the end of a real natural appetite must necessarily be real, is an axiom which is guaranteed to us by natural science alone.

or an epiphenomenon, but a natural function; for since animals have motor limbs adapted *by nature* to respond to the *desire* for ends, so the desire for ends must be natural to the animal. And if to the animal, so also to man. Most of a man's movements are results of desires, and they are by nature meant to result from desires, from ends perceived and wished for. We are, therefore, by nature, desiring animals. This is the presupposition of the argument given in the text. The theory which makes of will or conation a mere accidental phenomenon in man is known as the theory of "heterogenetic" will. That which we here propound is known as the "autogenetic." In addition to the above argument, drawn from the mechanism of the body, we may also use Leslie Stephen's argument that if appetite were not an original part of the living constitution the race of living things could not have survived a generation. Without the appetite for food the individual could not subsist; without the appetite for racial continuance the race could not survive. A fuller discussion on this subject will be given in our chapter on the Good.

* Obviously, on the supposition of a creator, this argument becomes clearer and more cogent still.

We must here say a word on the proof offered by Cardinal Zigliara and Father Meyer for the reality of the ultimate end. The desire for this ultimate end, they say, is not a free desire. It is implanted in man by nature—*i.e.*, by God Himself. If that end, therefore, be unreal, we are deceived by God—which is impossible.

Our answer is very simple. To drive us to an end which is unreal is not necessarily deception. It would be deception if with this impulse we had also an express declaration that the end is real. It is we who *deceive ourselves* if we regard as real what may be only mental, when there is no express declaration that the end is real. Neither could it be considered vain or idle on God's part to direct us to an unreal end. It would be a vain thing to drive us towards an unreal end if, as Hartmann, speaking on the subject of the illusoriness of the desire for happiness, very sensibly states, no purpose were served by such an impulse. But the possible purposes of such an impulse might be many. The purposes it might serve in giving, for instance, some zest to life, we may leave to the reader to work out for himself.

Any argument, therefore, which rests on that axiom must, like the axiom itself, be kept within the limits of nature, and is valid only within these limits. But the argument as here developed is made to extend beyond these limits, for it is used to establish the reality of the infinite good, which is of necessity outside of nature. Hence the argument is invalid.

Our reply is—We grant that the axiom referred to is guaranteed by natural science only. And, therefore, we conclude that the only appetites to which our argument could validly be made to extend are the natural appetites. But, granted the natural appetite, we claim that its object is real whether that object be in the material and natural world or outside it. However, we also claim that such object, even though it may lie outside the visible universe, is yet in some sense within the sphere of natural science, for, though beyond this world, it is still the natural complement to a natural faculty. In this sense we speak of it as natural.

Having now seen that the natural object of our will is the infinite good, and having seen also that this infinite good is not an abstract thing, a *universale in mente,* but a reality, we turn to ask—What is this infinite object? It is none else but the uncreated good—God Himself. As Aquinas puts it—"Nihil potest quietare voluntatem hominis nisi bonum universale, quod non invenitur in aliquo creato sed in solo Deo." There is no other real infinity but God. Every other reality is finite, and even the sum of them is finite, and, consequently, they could not be the object of perfect happiness, or the object of our will. Of course, in desiring this infinite good we do not, as is supposed in the theory of Ontologism, put it before ourselves in every action individually and determinately as God. Consciously and naturally we desire only the *bonum-in-universali*. But the object of that desire, the only object which will satisfy that desire—in the words of Aquinas, the only real object in which this *bonum-in-universali* is

to be found—is God. And, therefore, in God only shall the will reach its end and be at rest. "Fecisti nos," says St. Augustine, "ad Te, Domine, et inquietum est cor nostrum donec requiescat in Te."

(*c*) On the Attainment of our Last End, or on the Subjective Final End (Beatitude)

On the subjective final end of man or the attainment of our last end four questions arise:—

(1) What is this subjective state—is it a faculty, a habit, or an act?

(2) If an act, of what faculty is it an act?

(3) For perfect happiness is it necessary that the exercise of our highest faculty should be accompanied by that of the other faculties also?

(4) Is perfect happiness attainable?

(1) *Final happiness, or the attainment of our last end, is an act.* Faculties and habits are merely means to acts—they are *in potentia* to their own acts—whereas our final perfection must have nothing incomplete about it; it must not be mere *potentia.* We have eyes and the power of vision that we may see, virtues that we may live well, intellects that we may know. In the order of nature "act" is the end and principle of all powers. Unused faculties, faculties that never come into act, are useless and have no place in nature, and naturally they often degenerate and disappear. Man's perfect happiness, then, will consist in an act.

(2) *Our final happiness will consist in an act, not of the sensitive, but of the intellectual faculty.*

This proposition depends on another former proposition, that the final objective end of man is the infinite good. Now, the infinite good can be attained by intellect but not by sense, and, therefore, the essential act of our final happiness will be an act of the intellectual faculty and not of sense. Of course, in the attainment of the infinite the senses also must experience their proper happiness in some way, since in the infinite is

contained the end or object of the senses as well as of the intellect. Still, it would be a mistake to consider the act of the senses as needed essentially in the attainment of our final end. For the senses are means only to the higher knowledge of the intellect, and they are often little more than a hindrance to us in our intellectual work or in the exercise of our highest and best operations. Of the delight of the senses, however, following the attainment of our last end we shall say something more presently.

Now, in man there are three kinds of intellectual activities—(*a*) those of the speculative intellect, (*b*) of the practical intellect, and (*c*) of the will.

But the attainment of our final end cannot be an act of the practical intellect, for the acts of the practical intellect are themselves a means to the work they subserve, and, consequently, they could not constitute our highest perfection. Neither can it be an act of the will. The act of the will is twofold—desire and delight. The first supposes the end yet unattained, and, therefore, it could not constitute our final happiness, which is the attainment of the end—*consecutio finis*. The second supposes the end already attained, and is, therefore, a consequence of the attainment of happiness.

The essential act, therefore, which will constitute the attainment of our last end is an act of our speculative intellect—an act, that is, of contemplation—as Aristotle expresses it, "an act of the soul according to the best and most perfect virtue." In the contemplation of the last objective end, in that degree which nature makes possible for us, lies the act of our soul according to its most perfect virtue. But this act of the intellect will be accompanied by delight of our wills (*bonum concomitans*) in the fruition of our final end, and also by delight in our senses in so far as sense can share in the attainment of our end.

We shall now, in order to bring out more clearly this doctrine of man's subjective final end—that the end consists in the highest act of intellect—contrast Aquinas'

teaching with two other widely different and well-known theories of modern philosophy—(i.) that of Professor Paulsen and Professor Simmel, on the one hand, that man's end consists in the "normal development of the vital functions," as Paulsen says, and in the "maximum of activity," as Professor Simmel says; and, on the other hand, (ii.) the view of Schopenhauer, that the end of man is the *nirvana*. No theories could be more opposed than that of Schopenhauer and that of Paulsen and Professor Simmel.

(i.) According to Aquinas our final happiness will consist in our knowledge of the infinite, which knowledge will be accompanied by a corresponding delight. According to Professor Paulsen our final end is the normal development of our faculties. Now, this view of Professor Paulsen is, in the first place, not very enlightening, for it does not tell us what our development is to consist in or towards what end it is directed. In the second place it is untrue. For, first, development is not the end of anything. A tree develops in growing. But growing is not the end of a tree. Growth is itself a means to the final act of the tree—its end lies in the final act. Secondly, the man who lives a good, rational life develops his faculties normally, yet such a man has surely not attained his ultimate end. Our ultimate end fills up the full measure of our capacities. But no man's will be satisfied here below, even whilst his functions are being normally developed. Thirdly, when we attain to knowledge we no longer require to study. When we reach the end of our journey we do not need any longer to walk. So also there are some faculties that are merely means to others, and it is not necessary that such faculties should continue to develop or to exercise themselves when we have attained our final end. Hence our final end is not necessarily the normal development of all the functions.

Professor Simmel's view* that the end of man is the

* Modern philosophers call this view, that the end consists in activity, the theory of energism. They oppose it to the Hedonistic theory that the end is pleasure.

maximum of activity recalls Aquinas' doctrine that the subjective final end of man—that is, the attainment of our final end—consists in an act. Now, naturally, the knowledge of the infinite good will involve the maximum of intellectual activity. But Professor Simmel's view makes no distinction of activity which is merely "means" and activity which is "end." But many of our activities are means only. Hence they need not be included in our final end. Besides, the end does not imply the maximum of all activities, even if all remained. We can scarcely believe, for instance, that our final end or *summum bonum* implies the maximum of vegetative activity, for example, maximum digestion and maximum growth; or the maximum of sensile activity, for instance, the maximum of hearing or of touch; or the maximum of motor activity, for instance, the swiftest movements; or even the maximum of imagination, which would mean fever and madness and not the healthy activity of the enjoyment of our final end. If, therefore, this theory of Professor Simmel's is to be saved from such absurdities, we must regard it as meaning that man's end is the maximum activity of the highest faculty and the due and subordinate activity of the others—and then Professor Simmel is at one with Aquinas, except that, first, whereas Aquinas points out that our highest activity consists in the attainment of the highest and fullest object which intellect is capable of attaining, Professor Simmel does not say in what the maximum of activity consists; and, secondly, Professor Simmel's view represents all the faculties as involved in the final act, whereas we know that some of them are only means, and that consequently they will form no necessary part of the attainment of our final end, if the final end can possibly be attained without them. And it certainly can be attained without some of them. The question whether and how far the lower sense and passions will be needed as integral parts of happiness will be treated presently.

(II.) Schopenhauer's theory that our end is the

Nirvana * is the direct opposite of that of Professors Simmel and Paulsen.† It is opposed also in the fullest way to Aquinas' theory that the end of man is the highest human activity, for the Nirvana is the absence of all activity. Now, the Nirvana is not our natural end, for no appetite tends naturally to its own annihilation or to inaction. On the contrary, all nature tends to movement and to the production of its highest act. Nature aims at its own maintenance and development, and if, as a matter of fact, maintenance be not secured or if development cease, that effect is the result not of natural tendency from within, but of antagonistic forces from without, and of the failure of natural conditions within. All living things tend to live. They resist disruption. Conscious life tends to continued consciousness, not to forgetfulness. The Nirvana, therefore, is not our final natural end.

(3) *Does integral happiness include the exercise of all the faculties?* To this question Reason can give no very full and satisfactory reply. The essential factor in perfect happiness is the act of the intellect about its highest object, and with that act will go the delight of the will in the attainment of its final end. But our principal difficulty concerns the delights of the senses and the lower passions, many of which are but a means to our highest activities here below. Will they have a place in the enjoyment of our final end? This is no easy question to answer, and whatever answer we give to it can only be of the most general kind. We can, however, say with some security that such passions as concern the means only by which we reach our end, and are in no sense an end in themselves, will possibly then not be active, for when we have reached the end of all, those functions which could concern the means only could serve no purpose in our constitution. But such passions as

* "The denial of the will to live is the way of redemption" ("Studies in Pessimism," page 27).

† Indeed, errors in philosophy have a curious way of grouping themselves in opposition. The philosophy of one age regards man as mere matter, that of another as mere mind. Not less opposed are the views of modern ethicians on man's final end.

have a worth of their own may still be active. We shall, for instance, still enjoy friends, for even when we have attained our end it will be a pleasure to have finite minds to confer with. Some passions, therefore, may remain, and whichever of them do remain will have to be satisfied according to Reason. There will be the *beatitudo concomitans* as well as the *essentialis*.

Of course, in this we are speaking according to Reason and in reference to the natural order only. But if we go farther and take into consideration the higher order still of the supernatural, then it is quite possible that even many of the passions to which we have just referred as having a worth of their own will have lost all attraction for us when the final end has been attained. The vulture glutting itself with carrion, or the insect feeding on putrid matter, derives pleasure from devouring food of a kind which would produce in a human being only a sickening sensation of disgust. In like manner, some of those things that now seem delightful to us and excite the passions may, in the higher order of the supernatural, lose their attraction for us altogether, or even become positively distasteful. It may be, therefore, that the passions will be no longer active when we have gained our end.

For another reason also it may be that with the attainment of our end the exercise of our lower faculties may not be necessary, for, as Aquinas remarks, it is quite possible that at the end we shall be able to receive all the enjoyments of every sense and of the passions, even *without the exercise* of the senses or the passions. For even now the higher intellectual enjoyments are found at times to work back on the senses, and to create in them a sensuous enjoyment. And if this happens in the case of finite objects, it may more easily happen in the case of such an object as the infinite, in which the good of every sense and passion is fully contained—*modo eminentiori*. All these things, however, are above philosophy to a large extent, and mere Reason can tell us very little about them.

(4) *Perfect happiness attainable by man.* A school, known as the Elpistic School of Ethicians, have taught (and in their doctrine they are mainly influenced by Kant) that the end of man consists in a never-ceasing approach of Reason and the will to some far-away ideal—an ideal which keeps always drawing us on to its realisation, but which yet can never be realised in fact. The more you increase the sides of a polygon inscribed in a circle the more it approaches the circle, yet it can never become one with the circle. Certain curves, known as asymptotes, keep ever approaching their ordinates, yet can never meet them. So, it is contended, it is man's fate ever to approach the ethical ideal asymptotically; and as the horizon flies at our approach, so does the end of man, his final blessedness or goodness or happiness, whatever it is, keep always departing from him. "Hope springs eternal," yet hope shall never be converted into fruition. Hope it must always remain. This theory has been developed by Kant, Spencer, Green, and many others, and against it the present argument is directed.

Aquinas treats of this question, whether perfect happiness is actually attainable, very briefly and succinctly indeed. He tells us that perfect happiness is attainable because we have by nature the capacity of perfect happiness—*i.e.*, we are able to desire it and *do* naturally desire it. His argument may be expanded thus—the desire for perfect happiness is not an accidental growth in man. It is a natural capacity, a natural desire. It must, therefore, be capable of fulfilment. Why? Because nature does not act in vain. When men set ends before themselves, these ends are not always possible of attainment. But nature cannot so fail. If the end or capacity of a tree be to bloom, then blooming is an attainable perfection—a something to which the tree, if properly nursed and properly directed, may come. Individual trees may, indeed, fail to bloom, for nature may be crossed in many ways, and so our present thesis is, not that every man *will* gain the end, but only that the end is attainable. Whether the individual trees attain

their end depends altogether on the chances they get. But "to bloom" is an attainable end, and many trees will *de facto* succeed in reaching it. The reason is that with nature the end is first and before all, and the principle of all. To blossom and bear fruit—that is the first thing in nature's plan; and because that end is attainable, therefore is the tree provided with roots, bark, veins, arteries, capacities—with all, in fact, that it is and all that brings it to its natural perfection. It is so also with man. We have not directed ourselves to perfect happiness—to the attainment of the infinite good; nature has directed us to it and given us a capacity for it, just as nature has given to the tree the capacity to flower. The appetite for the infinite good belongs to our very essence, and there is no escaping from it. Perfect happiness, we conclude, is, therefore, attainable by man. If all the requisites of nature be fulfilled the tree will bloom. If all the requisites of human nature be fulfilled by us and all the natural laws observed,* then will a man reach his final natural end. If not, he fails.

But where is this perfect happiness realisable? †

* We speak here according to Reason only. The higher laws may demand more of us than nature demands, because, as a matter of fact, we know from revelation that in the end we shall have *more* than natural happiness.

† A word on this question of how we shall enjoy God. It is plain, as we have said, that our final happiness is not to be had in this world. What better opportunities we shall have for contemplating and studying God in another world, philosophy cannot tell us. It is certain, however, that the vision of the soul will be much clearer and stronger when we have escaped from the material conditions of this life than it is now. Here everything distracts us instead of centering round our final end, and leading us on to Him. When we are in possession of the end, not only shall we know Him, but we shall see all things in their true perspective as leading up to Him.

In speaking thus we are not encroaching on revelation. The knowledge of God of which we have spoken is, as we have proved, attainable in the order of nature, though not in this world. It is still natural knowledge—*i.e.*, knowledge got by abstraction from creatures. From all that we have known here and from all that we shall see in the next world we shall rise to the knowledge of God. This means that we shall still know Him by an act of our ordinary Reason, but *perfectly* according to Reason. Reason does not tell us more than this. Revelation, however, goes farther and declares to us that for the knowledge of God of which nature holds out hope to man, there will be substituted a higher knowledge altogether—viz., that of the beatific vision, the vision of God seen face to face, seen in Himself, directly and personally. Knowledge

Plainly not in this life. Do what we may here, we cannot be perfectly happy. And if not realisable in this world, what then? Plainly in another. If not in winter, then in summer. If not on stony ground, then in the better soil. If not here and now, then elsewhere and hereafter. It is the same in all departments of nature—with the trees and with man. Nature has many seasons and many places. To limit her purposes and her powers to one place or time would be to take a very limited view of her extent and her powers.

by abstraction is possible to our natural faculties. But the beatific vision or the knowledge of God seen "face to face" is out of the reach of nature and of Reason altogether. It consists in the indwelling of God Himself in our intellects and in our seeing Him by means of Himself. Of this state or act our natural Reason can know absolutely nothing apart from revelation, and not being the object of any natural science it lies outside the province of Ethics. But, by Reason we know what Aristotle knew, that the supreme happiness of man is to be found in the act of the highest faculty, according to Reason, *in a perfect natural life*. We know from Ethics what the act and faculty in question are, and we know some of the conditions of the perfect natural life—they are different from life as we actually find it.

CHAPTER IV

ON GOOD AND EVIL

(*a*) Meaning of Good

(1) Taken in its broadest and most generic acceptation, we may define the "good" with Aquinas as "the object or end of appetite." A thing is accounted good in so far as it satisfies appetite. It is evil in so far as it opposes appetite. Were there in the world no such thing as appetite, there would be no such distinction as that of "good" and "evil," just as if there were no intellect in the world there could be no truth. But in various objects there are various appetites or tendencies, and what satisfies these various appetites we speak of as good; what opposes them we describe as evil; also what leads to the ends of the appetites or is a means to them is good, and what leads away from them is evil. Thus we call a knife good if it cuts, because that is the end we wish it to fulfil. We call medicine good because it cures, and we call curing good because health is something that men desire.

The good, then, is defined by reference to appetite. It is the object or end of appetite.*

Now, sometimes there are, even in the one being, a great number of appetites, and it is even possible that these may be in partial conflict with one another—that

* It may be well to tell the reader at this point that the *moral* good is simply a more specific determination of this general conception of the "good." The moral good is any act which is directed by Reason to the final end—the end which fully satisfies our appetitive capacity, and which therefore cannot serve as a mere means to something else. This is not only Aquinas' view, but the view of most modern ethicians. "Morality," says Bradley, "implies an end in itself" ("Ethical Studies," page 60).

is, that the same object which will satisfy one appetite will prevent the satisfaction of another. For instance, the same food that will satisfy the appetite of the palate will often hinder the attainment or preservation of that which is more desired than the pleasures of the palate—namely, our health and life. In such cases it is often not easy to say whether the object that gives rise to such diverse effects should be called good. The obvious rule to be followed is that the wider appetite, or the appetite corresponding to the farther off end, should take precedence, and that the "good" should be determined by reference to it. For the nearer and narrower end is always conceived as mere means to the wider and more remote, as is evident from the case given of "food" which at the same time pleases the palate and injures our life. Such an object could not be regarded as good, for it conflicts with the wider and more fundamental appetite—that, namely, for our life. In the same way many acts, though they satisfy particular appetites, are opposed to our appetite for the final end—and in no circumstances could an object that leads us from the attainment of our final end be good. For in relation to the final end every other particular object is means only, and, no matter what the pleasure that attaches to their attainment, it would be irrational to speak of them as good if they keep us from attaining our final end. All this, however, in no way conflicts with our opening statement that the "good" is the object of appetite. On the contrary, what we have just said confirms and explains our definition of the good, for the principal end is the final end, and an object that opposes the principal end ceases to be a real or true end, though it may be an *apparent* end and an *apparent* good.

We, therefore, repeat our definition of the good already given—the good is the object of appetite.*

But it is not to be considered, since goodness is that in

* This is Aristotle's definition—"Bonum est quod omnia appetunt," by which is meant not what everything seeks, but, as Aquinas explains ("S. Theol.," I., Q. VI., Art. 2), what anything seeks, or any object that is sought.

an object which makes it conformable to appetite, that, therefore, the goodness of objects is an arbitrary relation which depends on the passing and changeable desires of the human will. We shall see presently that there are some things which the human will *must* desire, since there are in man natural appetites with natural objects. These objects will be permanently and necessarily good. Now, objects of appetite are of two kinds. They are either such as are desired as means only to something else, or they are such as are desired on their own account as affording satisfaction of themselves. The former we speak of as *bonum utile*. The latter are distinguished into two classes. The end of appetite is either that state of contentment which ensues in the appetite on the attainment of an object desired, or it is the object itself whose attainment brings to the appetite satisfaction. The former we speak of as *bonum delectabile*, the latter as *bonum honestum*. All ends of action reduce to these three classes of end or good, which, however, are not all of equal importance to the will. Of the *bonum delectabile* and *bonum honestum* the latter—that is, the *bonum honestum*—is primary, as we proved in our last chapter. Next in order of importance comes the *bonum delectabile*. The *bonum utile* is, strictly speaking, not an *end* of appetite at all since in itself it does not give satisfaction. It is an end, only in the sense of being desired; and, therefore, in the order of nature it is the least fundamental of all. We now proceed to a more specific determination of this general conception of "good."

(2) "*Good*" *and* "*being*" (*esse, i.e., actuality*) *are one.*

Good and being are one because (I.) all good is being, and (II.) all being is good, and it is good in so far as it is being.

(I.) That "all good is being" needs no proof. If it is not being it is nothing, and "nothing" could not possibly be the object of appetite. A tendency to nothing is no tendency. Hence all good is being. (II.) But that "all being is good" is established as

follows:—Every object clings to* its own being—that is, it resists disruption or annihilation. A diamond, a plant, and an animal all tend to remain in being—that is, they resist destruction. If they did not cling to their own being there would be no sufficient natural reason why they should continue in existence once they are produced, or why they should continue to exist in this or that species once they are produced in a certain species. Hence all being is the object of appetite or of tendency, at least to the thing itself which is actualised, which has the being in question; and since that is good which is the object of appetite, it follows that all being is good in so far as it has actuality or actual being.

(3) *The good is as such an attribute of reality* (*bonum est in rebus*†).

* "Ratio enim boni in hoc consistit quod aliquid sit appetibile . . . manifestum est autem quod unumquodque est appetibile secundum quod est perfectum nam *omnia appetunt suam perfectionem*. In tantum est autem perfectum unumquodque in quantum est actu. Unde manifestum est quod in tantum est aliquid bonum in quantum est ens; esse enim est actualitas omnis rei" (Aquinas, "S. Theol." I., Q. V., Art. 1). Again, Aquinas says—"Bonum non addit aliquid supra ens sed rationem tantum appetibilis et perfectionis quod convenit ipsi esse in quacumque natura sit" (I., Q. V., Art. 3).

Again, Aquinas writes, "De Veritate," Q. XXI., Art. 2—"Cum ratio boni in hoc consistat quod aliquid sit perfectivum alterius per modum finis; omne id quod invenitur habere rationem finis habet et rationem boni. Duo autem sunt de ratione finis, ut sc. sit appetitum vel desideratum ab his quae finem nondum attingunt aut sit delectum et quasi delectabile ab his quae finem participant; cum ejusdem rationis est tendere in finem et in fine quodammodo quiescere . . . Haec autem duo inveniuntur competere ipsi esse. Quae enim esse nondum participant, in esse, quodam naturali appetitu, tendunt; Omnia autem quae jam esse habent *illud esse suum naturaliter amant* et ipsum tota virtute conservant . . . Ipsum igitur esse habet rationem boni. Unde sicut impossibile est quod sit aliquod ens quod non habeat esse, ita necesse est quod omne ens sit bonum ex hoc ipso quod esse habet. . . . Cum autem bonum rationem entis includat . . . impossibile est aliquid esse bonum quod non sit ens; et ita relinquitur quod bonum et ens convertuntur."

This doctrine that everything tends to the conservation of its own being is taught expressly by many modern philosophers. Of living things especially they make this assertion. Thus M. Guyau writes—"La tendance a persévérer dans la vie est la loi nécessaire de la vie, non seulement chez l'homme mais chez tous les êtres vivants." But the very same force that makes the plant resist the destruction of its life makes even an inorganic substance resist disruption of its being—this force attaches to every being.

† "Terminus appetitus quod est bonum est in appetibili; sed terminus cognitionis quod est verum est in ipso intellectu" ("S. Theol." I., Q. XVI., Art. 1).

We now come to a third point in our determination of the "good"—the good is as such an attribute of reality. Whereas the "true" exists in and belongs primarily to mind, the "good," on the other hand, essentially includes a reference to real existence, since actuality is the principle of good in all being.

No object, therefore, is good or can become an object of desire except in so far as it either has or is supposed to have actuality. An economist is perfect intellectually who can deal properly with money *in idea*. But if he desires money he desires it, not as existing *in idea* but as existing *in act*—as actual or real. Therefore, only as real, as actual, can a thing become an end of desire. Actual being, therefore—being in real existence—is the universal form of all objects of appetite, and, therefore, of all good.

(4) *"Good" is fulness of being.*

Though "good" and "being" are one, yet not everything that has being, or actuality, is thereby good *simply and absolutely*. A horse may have good sight, good hearing—that is, it may be good *with a qualification* (as Aquinas says), but it is not simply or absolutely good—*i.e.*, it is not a good horse unless it has all the being that is *naturally due to a horse*. For all objects naturally seek the perfection that is proper to their nature, and if they do not come to their proper perfection it is because nature has been prevented from achieving the end which, given the proper conditions, they would achieve. The good of an object, therefore, is its natural perfection. This we call fulness of being. A thing, then, has fulness of being and is absolutely good when it has all the natural parts, and all up to nature's standard. But if anything is wanting in any of those parts that are naturally due to it, the thing is bad. To be bad it is not necessary that everything in an object should be bad. It is enough if there be any falling short of the right standard. If complete absence of good were necessary before we could speak of an object as bad, it would be impossible that we should ever speak of

a bad object, for in every kind of object there must be some good, some actuality. Hence, whereas in respect of degrees of goodness, goodness is of two kinds—relative and absolute—a bad object, on the other hand, can never be completely bad, and consequently we have given the full meaning of badness when we say that an object is bad or falls short of the natural standard in any degree; and for that reason we speak of anything in which there is some want as bad (simply and without qualification), whereas before we speak of anything as good (simply and without qualification) we require that it be *all* good. A lame horse may have good sight, but it is a bad horse; it may be good with a qualification, but we do not speak of it as good simply—as a good horse—on the contrary, we speak of it as a bad horse because it has not its natural fulness of being. Hence the formula, "Bonum ex integra causa—malum ex quocumque defectu."

Human good is fulness of human being. As we have said, a being, to be good, must have all its natural parts and all up to nature's standard. A human person, therefore, to be good must have all the parts that belong naturally to a human being, and all up to nature's standard. But "parts" are of many kinds. There are integral parts—*e.g.*, hands, feet, and head—and there are potential parts, or faculties. All these parts, integral and potential, are necessary to the perfect man.

Now, of these goods, some are given to man by nature herself from the beginning—for instance, hands and feet—while some are acquired by operation. But of these latter, some are acquired by the operation of nature, and are not under man's control—*e.g.*, the digestion of food—whilst others are acquired by man's own effort, for instance, the obtaining of food, the acquirement of learning, of which kinds of good, the former we would class with *goods of nature;* they are given us rather than attained by us. Now, since Ethics is the science of human conduct, Ethics treats only of those goods that are won by our activities—that is, the attainment of which

is under our control. Ethics has nothing to do with the goods which nature gives us, or with other goods in so far as their maintenance depends upon the operation of nature. It has to do with the human act as controlled by us, and only the human act can be morally good.

(5) *The goodness or fulness of being of the human act depends principally upon its end.*

Ethics as the science of human conduct has to do with human *action* only. But goodness, as we saw, means fulness of natural being, and the goodness of the human act will be the fulness of the being that is proper to a human act. What, now, is the fulness of being that is proper to the human act? This evidently is the first and most fundamental of all ethical problems; but our answer at this point can only be of the most general kind. The human act or human conduct is essentially a tendency to ends—that is, it is a tendency, as we have just said, to ends which we attain through our own personal activities and appetites. Its natural fulness of being, therefore, will consist in the attainment of the natural end of these appetites. "The good and evil of an action," writes Aquinas,* "depends upon its fulness or lack of fulness of being. Now, the first element of fulness of being is that which gives the thing its species. But as a physical thing has its species from its form (or inner nature), so an action has its species from its object (or end) as motion has from its term." The goodness, therefore, of human conduct is principally determined by the ends of conduct. All human action is motion to some object, some end, some term. Let a human act be exercised about a proper and a natural human end, and it has all the fulness of being that is required. If the end of the action is unnatural the opposite is the case.

But though the goodness of conduct consists essentially in its end, there are other elements in conduct which contribute to its goodness—viz., the circumstances of conduct. An act may want "due quantity according

* "S. Theol.," I., II., Q. XVIII., Art. 2.

to Reason, due place, or anything of that sort," and an act is good or evil by reference to all these things. However, it is worthy of remark that it is the end that determines the proper circumstances, just as it is the ends which a man wishes to gain that determine whether a movement ought to be fast or slow. And so we say that the fulness of being of a human action is determined by its end.

(6) *The good of human conduct is determined by the final end.*

A movement or tendency may have many ends, as when a man desires to get money in order to help the poor, so that by helping the poor he may acquire a good name. But the dominant end of anything is its final end. Consequently, as we pointed out in the beginning of this chapter, that conduct which does not lead us to our final end is a failure and bad, no matter what intermediate ends we may succeed in attaining by means of it. Since, therefore, moral science treats of the goodness or badness of human conduct, and since the principal goodness or fulness of being that is proper to a human act is its direction to the end, and since the proper circumstances depend upon the end, we may define a good moral action as "action done under the control of Reason and leading to man's final end."

(*b*) Of the Moral Determinants—or of those Things that make an Act Good or Evil

We have just spoken of the circumstances as contributing to the natural fulness of being of the human act. These circumstances are consequently counted amongst the moral determinants of action. *The moral determinants* of an action are all those things that go to make an action good or evil, better or worse. The principal moral determinants enumerated by the scholastics are three—the object,* the end, and the circumstances.

* By "object" here we mean the object of the action—that is, of the whole action which, we here assume, is an external act. By "end" here is meant the *finis operantis*, or the purpose which we wish to

These determinants may be more easily understood from an example than by their definition. We shall take as our example the case of a complete human act having an inner and an outer element. In murder the *act* whose morality is in question is the act of killing. The *object*—that is, the *formal moral* object of this act—is a person over whom I have no authority—someone who is not subject to me. The *circumstances* are that I do the deed at such a time, place, &c. The *end* is that which I purpose gaining by the act—for instance, satisfaction for some wrong or the obtaining of money.

The object is the specifically moral factor in all acts. It is that which specifies the act, which gives it a name and puts it in a class. Thus to destroy the life of another is homicide. To take the goods of another is stealing—that is, these acts are put by their respective objects into a particular moral species, to which we attach a particular name. It is with the consideration of the objects of acts, therefore, that the Science of Ethics is principally concerned. For it is through the consideration of objects that the code of general laws is constructed, which to Ethics are what the general physical laws are to Physics.

Now, if the object of an act is bad the act itself is bad; but if the object is good the act may still not be good, for we have still to consider the circumstances and the end or the *finis operantis*.

The circumstances. In every individual act, besides the *specific* moral character which depends on object, there is also an *individual* moral character which depends on circumstances. Thus, it is worse to murder one's father than to murder a stranger, and worse to steal ten pounds than five. Now, an act should be good not only in its object but in its circumstances. For morality denotes, as we have already seen, a certain

accomplish by our act. Both of these are included in what was before spoken of as "the end of the will" which we identified with the good, for the will takes in the whole thing desired, including, therefore, both object and that to which our action is meant finally to lead (*finis operantis*).

fulness of being, and to have fulness of being means, not merely to be in a certain species, but to have suitable individual characteristics as well. So the individual moral act has its circumstances as well as its object, which should all be good. Still, not every circumstance counts in the morality of the act. And of those that do count some only increase or diminish the morality, as in the examples given, whilst others add on a specifically new moral relation to that which results from the object. Thus to steal six pounds is only *worse* than to steal five; but to kill a father is not only homicide but patricide. The fact that this is one's father adds on a specifically new crime.*

How the circumstances affect the morality of an act. The circumstances give rise to a twofold law in action: (*a*) first, a negative law—there must be no bad circumstance; (*b*) second, a positive law—every circumstance that is necessary for the due performance of the act—that is, for the attainment of the natural end of action—must be present, else the act is not good. Now, in regard to this second point, it is to be noted that sometimes the attainment of the natural end of an act does not depend wholly on that which the *agent* does, nor does it follow *immediately* on the performance of his action, but requires along with the action of the agent a subsequent process also with which the agent has nothing to do, and which depends altogether on nature. Now, in such cases, provided that all the circumstances necessary for the due performance of *our own* share of the act are present, the act is lawful, and it is lawful even though nature should afterwards fail in the work proper to her, thus preventing the accomplishment of the natural end. This principle is of importance in connection with many difficult moral problems which readers of Moral Theology will have no difficulty in recognising.

* The scholastics give the following rough enumeration of the principal circumstances—*quis*, *quid* (the effect), *ubi*, *quibus auxiliis*, *cur*, *quomodo*, *quando*.

The end aimed at (*finis operantis**) is the original source of the whole act, for the act that we do, with its object and its circumstances, is nothing more than means to the realisation of the end aimed at. And as a man intends the end more than the means, so the end is in one sense the principal moral element in the act. Still the object and circumstances have their own morality apart from the end aimed at, and unless the object and circumstances are good the act is bad in spite of the fact that the end aimed at may be most praiseworthy. This is expressed by saying that the *end does not justify the means*. By the means we wish to signify all that we do in order to attain our end. A good end could not justify an act or a means which is in itself bad.

Hence to take a bad means to a bad end is to commit two crimes, whilst to take a bad means to a good end or a good means to a bad end is one crime.

Having shown that an act to be good must be good in all its bearings, and that a great many things contribute to the morality of the act, the end, the object, and the circumstances, we naturally turn to ask the question—

(*c*) Are all Acts Morally Good or Bad, or are there any Indifferent Acts?

It is not our intention here to give a full account of the heated controversy to which this question of moral indifference has given rise. But it will be necessary to quote Aquinas' view at length. In opposition to Scotus, who maintains that there can be morally indifferent acts, St. Thomas distinguishes between acts considered specifically and acts *in individuo* or in their individual circumstances, and affirms that *in specie*—that is, considering the act apart from the circumstances—there can

* The end aimed at, though part of the *object* of the inner will, is the principal circumstance in relation to the external act. Thus the end aimed at (for instance, riches or revenge) is a circumstance of the act of stealing.

be indifferent acts; but that *in individuo*—that is, considering the act with its concrete circumstances, and in particular the end for which the act is done—no act can be morally indifferent.

This view, it seems to us, is the logical and the correct view, as we hope to make clear to the reader, following Aquinas' reasoning on the subject. That acts can be morally indifferent apart from their circumstances, and considered in their mere specific nature, is self-evident. To lift up a straw from the earth, to think, to shout, are in themselves neither good nor evil, for they neither help nor retard the attaining of our final end. Such acts may be made either good or bad according to the circumstances and the intention with which we do them. But concerning individual acts we may divide St. Thomas' teaching into two parts. He claims (*a*) that without considering the question of the end aimed at, and taking account merely of the other concrete circumstances, the human act can be shown to be *very nearly always* morally good or bad; (*b*) that when we take into account the end of the will, the individual act is not merely practically always, but always and necessarily, either good or bad.

(*a*) On the first point Aquinas' position is as follows:—A good act is one that leads to the final perfection of a man. Now, just as in the case of any material organism developing towards a certain perfection—say the human body*—practically no interference with it† is possible which would not affect it either for good or for evil in relation to its final perfection, so no human act is possible that would not in some way affect us as regards our final perfection.

An organism will always be affected for good or for evil by any movement or action of its inner powers. This, we fancy, should be clear from all that we know of organisms and their mode of action. But a human act always involves the exercise of the inner powers of

* The example and much of the explanation here are from ourselves.

† In the case of the body, for instance, food or drink must always effect either benefit or injury.

the human organism, and hence it must affect the organism well or ill in relation to its end.

Again, from a mathematical point of view, we may gain even a clearer view of the same conclusion, and, perhaps, also the reason why a purely indifferent act is so very difficult of realisation. For, supposing that each of the circumstances that make up the individual act could be either good, bad, or indifferent, the chance is exceedingly small that all together will belong to the indifferent class. If there are seven circumstances in the act, the chances against these circumstances and the object being all indifferent are one divided by "three to the power eight," which is a very small chance indeed.*

(*b*) Let us now take up St. Thomas' second point of view—that is, the point of view of the end aimed at by the individual. From this point of view, as we have said, it becomes certain that not only in most cases but in absolutely every case the individual act is either good or bad.

For the object which we seek can be either morally good, morally bad, or morally indifferent. If the object is morally good it is plain that our act is morally good. If the object is morally bad it is equally plain that our act is morally bad.

But what, now, if the object is morally indifferent? In that case we maintain that the act by which we pursue such an object is, if free and deliberate, a morally good act.

Before attempting a proof of this proposition we must show what is required in order that an act be morally good. An act is morally good when the object of the act is not only referrible, but is also referred or directed to the final end by the human will—that is, when it is sought as leading to the final end. Now, an object is *referrible* to the final end when it does not oppose the

* Acts that affect Society are even less likely to be indifferent than those that affect the individual. We could not imagine any Bill brought into Parliament which, if passed, would not affect Society for good or for evil.

final end, or when it is not morally evil. And since it is supposed in our present question that the object is morally indifferent, the sole remaining condition of the morally good act is that this object, which in itself is morally indifferent, be *referred* by the will to the final end. As Aquinas says, a rational being is bound to seek a *finis debitus,* but a *finis* is "*debitus*" in so far as it leads us to our final end, which is, as we saw, the perfect good. This reference to the final end is the natural order for a rational being, and, therefore, it is the good and the right order.

Now, we contend that if any object or end be morally indifferent the act of the will which desires that object is a morally good act. And for the following reason:—Every end is, in so far as it is an end, a good also, since it satisfies some appetite or desire. *Bonum et finis convertuntur.*

Now, it is impossible that the will in seeking that good should not seek it in reference to our final end, which is the perfect good. For since the will itself is fixed on the final end, it follows that every imperfect good that it seeks is *sought as an instalment* of the perfect good. As Aquinas writes—"Omnis inchoatio perfectionis ordinatur in perfectionem consummatam, quæ est per ultimum finem" * (a principle of the greatest importance in our science). Hence, naturally, every intermediate or particular end is directed to and is sought as leading to the final end ("omnia quæ homo appetit appetit propter ultimum finem"). This direction of particular ends to the ultimate end on the part of the will may not be conscious and *actual* ("non oportet," he writes, "ut semper aliquis cogitet de ultimo fine quandocumque appetit vel operatur; sed virtus primæ intentionis quæ est respectu ultimi finis manet in quolibet appetitu cujuscumque rei, etiamsi de ultimo fine actu non cogitetur; sicut non oportet quod qui vadit per viam in quolibet passu cogitet de fine." † From this we see that

* "S. Theol.," I., II., Q. I., Art. 6.
† *Ibid.—ad tertiam.*

everything that we seek is at least *virtually* referred to the final end; and if the particular end be, as we have supposed all along, without evil, if it be a natural or physical good, and, therefore, *referrible* to the final end, the act that seeks that end is necessarily a morally good act, since in seeking that end it seeks it as a means to our ultimate good, the moral good being that which is sought by our wills and appetites, or which perfects one, in relation to his final end.

Hence, even where the object is morally indifferent, the act of the will is morally good, and consequently all individual deliberate acts are either morally good or evil. There are no indifferent acts *in individuo*.

(*d*) That there is a Natural Distinction of Good and Evil*

Having shown in the present chapter that the goodness or fulness of being of the human act is its tendency or direction to the natural objects of our appetites, we now go on to show that there is a natural distinction of good and evil, that good and evil are not arbitrary, that they do not change with our passing whims and desires, that some things are always good and some things always evil. Our proof of this proposition must manifestly consist in showing that man is possessed of certain permanent natural appetites, of appetites that are not of his

* The theory that there is a natural distinction of good and evil we may call, for convenience' sake, the theory of "natural morals." It is to be carefully distinguished from what is sometimes called the Ethics of naturalism, in the sense of any system which excludes from Ethics the conceptions of free will and of an objective moral value in acts. Of natural systems in this sense of the expression, Dr. Harms gives three examples in his "Ethik"—(*a*) the ethics of Hobbes, who makes the individual pleasure man's final end; (*b*) of Spinoza, who represents the individual as a mere mode of the absolute, striving indeed always for his own maintenance, not freely, but by the power of the absolute, which is the power of nature; (*c*) of Shaftesbury, who grounds all morals finally on something in man himself—namely, on the natural impulse to benevolence. Dr. Harms himself defines naturalism as the opposite of supernaturalism, which bases Ethics on the will of God; but from the examples he chooses it would seem that from naturalism he would also exclude any system which regards the Supreme Being as our end. Dr. Harms rejects the theory of naturalism and every system which ignores the freedom of the will.

own making but belong inseparably to his human nature as heart and head and hands belong to his physical constitution. If we shall succeed in establishing the existence of natural appetites in man with natural objects we shall also have succeeded in establishing the existence of natural moral distinctions.

Now,* before proceeding to discuss this question of the existence in man of natural appetites, it may be useful to enquire why some ethicians, whilst admitting that man is possessed of natural capacities and appetites, still refuse to recognise the existence of a natural distinction of moral good and evil. The reason, it seems to us, is that many philosophers who are not of the Aristotelian tradition have been accustomed to regard the "moral good" as something quite distinct from objects of natural appetition, as something *mystical* and ethereal, as an *ideal* rather than a *reality* of our human nature; and so morality comes to be identified rather with the suppression of desire than with its exercise, with the restrictions imposed by external admonition and law rather than with ordinary human liking and disliking.

Now, this is not the view of moral goodness adopted in the present work, and we have shown that it is not the true view. The good is, as we have shown, the object of appetite, and *provided an appetite comes within the control of Reason and is directed to the ultimate end the attainment of its natural object is a moral good.* Thus, even eating and conversation may be morally good in the same sense that almsgiving or any other lofty and unselfish act is morally good, provided only that they be free acts and directed by our intellects to the final end. The "moral good," therefore, is not a mystic or ethereal something, but simply the object of appetite as directed by Reason, and hence, if there be natural appetites controllable by Reason, there must also be natural distinctions of good and evil.

Let us, then, first determine the various kinds of

* We are here dealing with one of the most important problems of ethical science.

appetite. By appetite we mean any tendency, movement, or inclination to the attaining of an end. Now, appetites may incline to ends in many ways, either consciously or unconsciously; vitally—that is, as a result of living forces—or non-vitally. The animal's desire for food is a *conscious* inclination. The tendency of the tree to flower is *unconscious*. Assimilation and growth are *vital* tendencies. Gravitation and the tendency of a crystal or of iron to exhibit certain properties of colour, form, and of weight are *non-vital* tendencies. But any tendency, conscious or unconscious, vital or non-vital, is what we mean by appetite. When such tendency springs out of the essence of an object and is not the result of accident or of some mere passing desire the appetite is spoken of as natural.

Now, without attempting a complete enumeration of the appetites, we may give here what we consider their principal division. We divide appetites, following Aquinas, into two classes—physical* and psychical or cognitive. *Physical* appetites are those that spring immediately out of the nature of a thing and have no dependence on knowledge. *Psychical* appetites are those which, though possibly grounded in nature, yet depend on and proceed from knowledge. Nutrition and growth are physical appetites. The love of wine is *psychical*.

A few prominent instances of these two classes of appetites will suffice to show their diversity and character, and how the nature of the appetite in each case depends upon the kind of being to which it belongs. Of *physical* appetites the first and principal is the tendency of every being to maintain its own existence. Of

* Aquinas' word "naturalis" is here translated by "physical." By "naturalis" Aquinas means *here* not what accords with or even what is grounded in nature but what springs out of nature *without any dependence on cognition*. This we prefer to express by the word "physical," in order to avoid the ambiguities attendant on the word "natural," which is so often used in this work in its more common signification of "according with" or "being grounded in nature." "Physical" *here* then, does not mean material, but, as the text explains, "any natural appetition which has no dependence on cognition"

this appetite we have already spoken in the present chapter.* Secondly, every object besides tending to maintain itself in being tends also to the exercise of some proper and necessary operation—that is, some operation that not only accords with, but is determined by, the proper nature of the object. Minerals, for instance, tend to assume a certain form of structure, to possess certain chemical affinities to other substances, to exhibit a certain colour, and (under particular conditions) a certain weight; plants tend to send out leaf and flower; the lungs have a necessary tendency to breathe, the heart to beat, the eye to see.† The vegetative appetites of nutrition and growth are also physical. Given the materials of nutrition and growth the exercise of these appetites must follow, and independently of cognition.

Of *psychical* appetites there are two kinds, sensuous and intellectual, according as the knowledge from which the appetite proceeds is sensuous or intellectual. In animals the love of the sexes, the desire for food and for the preservation of offspring, are sensuous psychic appetites. In man these same appetites are radically sensuous, but these sensuous appetites may also take on, in so far as they come under the control of Reason, a rational character, and are, properly speaking, rational appetites. But there are some appetites that are not radically sensuous; for instance, the appetite for society,‡ which, though it has its *analogue* amongst certain animal tribes, is yet itself a purely rational

* Several appetites, like that for our own continued existence, though physical and present even in unconscious and unorganised things, may yet in the case of conscious beings take on a conscious and psychic character also. We seek our own maintenance not only as substantive beings, and therefore unconsciously, but also as rational beings and knowingly.

† The tendency of the eye to see or of the ear to hear when their proper objects are presented to them is a physical appetite. It precedes and is one of the causes of knowledge—it does not itself depend on knowledge. Every faculty, whether primarily appetitive or not, has a *nisus* to the exercise of its own act, which *nisus* or appetite is unconscious in every case.

‡ By human society we mean not mere gregarious living such as many animals desire, but the human social life with all those purely human conditions which shall be described later in our chapter on Society.

appetite; also the appetite for progress in knowledge, and the will's desire for the good-in-general.

The question now arises—*Are any of these appetites natural?* That the physical appetites are natural, few indeed would be disposed to doubt, and, therefore, it will not be necessary to give them any special prominence here. The physical appetites could be nothing else than natural, since, having no dependence on knowledge, there is nothing else from which they can spring but nature. The colour of gold, the texture of wood, the cohesive tendencies of atoms, are all natural properties, and tendencies to exhibit these properties are all natural appetites. Also the tendency of plants to grow, of lungs to breathe, of the eye to see, are natural. They spring out of the nature of the human organism since there is nothing else by which they could be caused.

Our question, therefore, relates principally to the psychical appetites which, since they depend on knowledge, may give rise to the question whether they could not, like the thirst for alcohol, have grown up in individuals through accidents of environment, of bodily complexion, or of habit; and whether, therefore, they are not an acquirement rather than an original part of our natural human constitution. It is fitting, too, that we should confine our enquiry to these psychic appetites, since the physical appetites are not in the control of Reason, and consequently they cannot give rise to distinctions of moral good and evil.

Proof that some psychical appetites are natural.

(1) Our first and obvious argument is that there are certain objects to which all men tend in common (to some of these, indeed, they tend in common with all animals)—*e.g.*, there is the appetite for life, for food, the love of the sexes, the appetite for knowledge and for society. Now, just as we infer that a certain limb is natural, and that such and such is the natural organic form of anything because these things are found in all the individuals of a species, so also should we infer that an appetite which is possessed by all men, more particularly if it be

possessed by all or practically all animals also, is natural to man—that is, is an original part of his nature and constitution, and is inseparable from his nature. We claim, therefore, that some psychical appetites are natural.

Now, some persons may not admit the premiss which in the foregoing argument we have taken for granted as self-evident—that an appetite which is universal is also natural, on the ground that appetites which are inherited from remote ancestors will necessarily be universal, even though they may have been *acquired* by our ancestors.* To meet this objection we go on to show from other arguments that certain psychic appetites cannot be accidental, but were necessary factors of our constitution from the beginning.

(2) Certain psychic appetites, *like some of those mentioned in our last argument,* have allied to them certain specified natural organs, which organs, though manifestly purposeful in the order of nature, could not, apart from the psychical appetites attached to them, attain their ends. Thus, whereas trees obtain moisture and the other nutritive materials without any psychic appetite and through the action of the nutritive organs themselves, the animal organism, though so much more perfect structurally and otherwise than the plant organism, is powerless of itself to obtain the necessary nutritive materials. These the individual is induced to provide by means of a special psychical appetite depending on cognition. Hence the nutritive appetite, or the appetite for food is natural.† *Without it the natural organ would have no purpose or meaning.*

* Constant indulgence in any particular desire would, it is explained, have given to our remote ancestors a permanent tendency towards certain objects, which tendency would through long-continued transmission come to be felt as necessary and as inseparable from the human race. But the point arises—why did our ancestors indulge these desires so widely and so constantly except that they were attached to permanent natural appetites.

† The same reasoning holds of other psychic appetites. An interesting example is the love of parents for the nourishment of offspring. This appetite, in the case of mammals, is attended by a special organ which without the psychic appetite could not attain its natural end.

This line of argument, drawn from the presence of appetites with specified organs, not only makes manifest the existence in man of natural appetites, but is also of great value in enabling us to specify the appetites which we hold to be natural.

(3) Closely allied to the argument just given is another of which much use has been made by evolutionists, that some psychic appetites are so inseparable from living things, and so necessary to them from the first moment of their existence, that without them the races could not have continued to live. As Leslie Stephen remarks, without certain appetites the race could not have survived a generation. Obvious instances are the appetite for existence, the love of food and of the sexes, and the love of parents for their offspring. But appetites that are so necessary that without them existence would have been impossible must be part of our constitution from the beginning. Hence some psychic appetites are natural.

(4) The psychic appetites considered up to the present are for the most part sensuous at least in their ground, and consequently they are common to animals and men. But there are some *natural* psychic appetites that belong to rational beings exclusively. Thus the *appetite for human society* is a natural appetite, as is evident from the two following reasons—(*a*) Man is *naturally* possessed of a limitless capacity for development, because there is no end to his powers of intellectual cognition. But without a natural appetite for society these powers would be in vain; for, outside of society it is impossible that we should attain here below to more than the beginnings of knowledge,* and without a natural appetite for society it is impossible that we should

* For proof of this proposition see chapter on Society. The argument given in the text for the necessity of a natural appetite for society as a means to development is not wholly *a priori*, for we find by experience of others and by reflection on ourselves that man is possessed of this appetite, and the only question here treated is whether it is natural. Our reasoning on the point is the same as that given in the last argument—just as without psychical appetites certain organs would be useless, so without a psychical appetite for society a certain intellectual capacity would be useless. Hence the appetite for society is natural.

continue to live *permanently* in Society. Hence the appetite for society is natural. (*b*) Man is possessed of a natural faculty* of speech, with no other natural purpose than the social purpose of communicating with our fellow men in order to our human welfare. Hence society is an original purpose of nature, and, therefore, our appetite for it is natural.

Again, there is in man a rational *faculty of will,* whose object embraces all particular goods and extends to the good in general. Now, this faculty of will, the existence of which is known to us from experience and from psychological science, is shown to be natural from the following argument from Aquinas, to which we invite the reader's special attention, because it is the argument by which Aquinas establishes not merely the natural character of the will, but the existence in man of psychical appetites generally, and it seems to excel all other arguments both in point of comprehensiveness and of logical force. Here, however, we shall emphasise its relation to the special faculty of will only.

Everything in the world, Aquinas points out,† is possessed of appetites which vary in kind and degree of perfection with the nature of the thing to which they belong. Minerals tend to exhibit certain mineral properties. Plants tend to vegetative effects, to assimilation and growth. These appetites are physical since they have no dependence on cognition. But man is by nature cognitive as well as vegetative, and, therefore, since every "form" or nature gives rise to a special appetite, there must be allied to our cognitive nature cognitive appetites also—that is, appetites for certain objects as perceived and known. But cognition is rational as well as sensuous, and as rational, man can transcend in thought

* Every faculty, even that of speech, has allied to it a certain *nisus* towards, and therefore an appetite for, its exercise.

† "S.Theol.," I., Q. LXXX., Art. 1. Aquinas in this article shows that there are in man *special* psychical appetites by which he means not only that they are special, but that as special these appetites are an original part of our constitution. His treatise *de homine* of the "Summa Theol." is an enquiry into *natural* faculties and powers only.

all particular finite things and can apprehend being-in-general and truth-in-general and the infinite itself. Therefore, allied to our nature as intellectual there must be a special appetite extending to the good-in-general.*

Two other arguments remain. The end of the will must necessarily be our ultimate end. But the desire for the ultimate end must be natural, as will be clearly seen in a later chapter (that on Duty). Unless the desire of the last end be natural, no other desire would be possible to us. Consequently the will is a natural appetite.

Again, this same conclusion is obtained from another line of argument which we have already pursued in considering the appetite for society—namely, that naturally man is possessed of a natural capacity to which the appetite of will is absolutely essential, namely, the capacity for endless progress. Without an appetite for the attainment of *goods beyond all particular goods* we should be incapable of exercising this capacity, because, with appetites for particular objects only, we should be as the animal that cannot be made to progress beyond a certain point, and, so far as progress depends on himself, cannot direct himself to any end beyond the present, and in particular cannot co-ordinate his desires and control their several objects so as to obtain some higher end above them all. But human progress involves the control of ends and the rising superior to every subordinate appetite and the formation of an ideal beyond the present; and since in the case of man the capacity of progress is without end, this ideal must be superior to all particular goods. Hence the will is a natural necessity to man, and without it our natural capacity of progress would be unmeaning.

We may remark, in conclusion of this section, and even at the risk of seeming to anticipate unnecessarily our

* As in the case of our appetite for society, the above argument is not wholly *a priori*. We know from other sources than mere *a priori* argument that we are capable of transcending in our desires all particular finite goods. The argument in the text merely demonstrates that the appetite is natural.

future chapter on Law, that it is on these natural appetites that we build up our conception of the *natural* law—each appetite giving rise to a particular law. But the natural laws are much more numerous than the natural objects of the appetites. For the natural law inculcates not merely the obtaining of these natural objects but also the doing of what is necessary for their attainment. Thus even had we no natural desire for food, we should nevertheless deem it our duty to eat, since food is necessary for life, and every living substance has a natural appetite for life. Again, since in man there is a natural appetite whose one purpose is the maintenance and propagation of the race, there is involved in the law of securing this good* another law of caring and maintaining offspring, and of marriage also as a means to this, since nature aims not at the mere existence of children but at their growth and continuance, not at imperfect but at perfect men; and this duty would be binding even though there were no special appetite in mothers for the nurture and care of children. Again, since there is a special appetite for human society, the moral law imposes on us a duty of supporting society, of adapting society to human conditions, and making it a means to true human development.

But law is grounded *immediately* not on the means but on the natural appetites and their essential objects, and hence our present discussion on the existence of natural appetites in man has an important and an essential bearing on the whole science of law.

(*e*) Consideration of Some Theories of Positivistic Morals

Directly opposed to the theory we have been defining of a natural distinction between good and evil is the theory of moral positivism, or the theory that good and evil depend not on nature but on positive law or custom, or on some mere passing and accidental desire. This

* We shall afterwards explain that the law of securing one's own life holds for each individual, the law of maintaining the life of the race holds not for each individual.

theory has many forms, only a few of which can be mentioned here.

Hobbes' Theory. In the so-called state of nature—that is, the state which is supposed by some to have preceded the formation of society—the good was, according to Hobbes, that which any man desired. This theory evidently denies a natural distinction of good and evil, and it conveys a false idea of the meaning of the good. For a man might at any particular moment desire something in a passing way which yet opposes the most fundamental appetites of his being, and since such an act, though it satisfies the mere passing desire, is nevertheless at variance with the still more fundamental desire of the natural appetites, it is impossible to speak of such an act as *simply desired* by us or as an object of appetite. On the contrary, it is at variance with our appetites considered as a whole, and it is, therefore, bad. There are some acts, consequently, which never could be good, so that from the very beginning there must have been a law of distinction between good and evil. The good, then, cannot be the object of any desire.*

Rousseau reduces all distinctions of good and evil to ordinances of the State—that is, to positive law—and the State itself he regards as a positive institution, a result of positive compact freely entered into by men. Hobbes also reduces moral distinctions (subsequently to the disappearance of what he calls the state of nature) to the law of the State, and to compact, on which, according to Hobbes, the State is founded. Now, it is certain (1) that many moral distinctions are independent of State ordinance, such as the distinction between taking food and taking poison, or between caring and neglecting offspring. (2) That unless the State were itself a natural institution it would have no moral power to impose on us a law of preference between good and evil conduct. (3) That the State may even now make laws which yet we regard ourselves as free to disobey, whereas there are certain other

* At the beginning of this chapter we gave some account of the scholastic definition of the good—the "object of appetite."

laws which we do not regard ourselves as free to disobey. In other words, the State may itself make bad laws which could not bind in conscience; consequently, the State is not itself the source of moral distinctions. (4) That if men did ever enter into a compact to form the State they made such compact because the State was necessary to the attainment of certain necessary ends. But the existence of necessary ends involves a natural distinction of good and evil. One end contemplated in the compact theory is that of *peace* and *prosperity*. Therein is ground for much moral distinction. (5) That the State itself is a natural institution, and consequently certain ends are naturally good for *it*. This, however, we shall prove in a later chapter.

Carneades in ancient times, and M. Levy Bruhl in modern, ground moral distinctions on *human custom*. Law, they maintain, follows practice—not practice law. Our ancestors did not first formulate the laws of human conduct and then obey these laws in practice. On the contrary, laws are an outgrowth of those practices which the conditions of existence most favoured in bygone ages.

Now, this theory is also false. Men, indeed, are certainly creatures of custom, but custom is also to a large extent the creation of natural necessity. It needed no custom to make men eat, to induce them to protect their offspring, to enter society. These acts spring from an inner necessity of nature, and without such necessities of nature there would have been neither Society nor custom on which to ground distinctions.

Again, in no part of nature is law founded on mere practice or facts. On the contrary, law always precedes in time, and is the principle of fact. The law of gravitation does not depend on the fact that bodies fall to the earth. On the contrary, bodies fall because of the law of gravitation. The law that makes trees bloom in spring did not arise after trees had bloomed many successive years. On the contrary, they bloomed because that is the law of trees. Now, Law is not

differently related to facts or to practice in the case of men and in the case of lower species. And, therefore, if all nations have followed certain courses of conduct that fact is due to one thing only—viz., that men have followed a felt law of nature—a law that was vital for them. If, at the beginning, humanity had no law to follow—if, therefore, its early acts were done at random because there was no law to follow—it would have disappeared as quickly as would a race of animals that had no guiding instincts. Moral law and moral distinctions, then, cannot have resulted out of mere custom. From the beginning conduct must have been based on natural necessities.

Besides, there was no time since history began at which we do not find many natural needs not only acted on, but actually and formally recognised. For this reason M. Levy Bruhl is forced to push back the period which we have called the period of "random action" into prehistoric times. Now, a thing that is *possible* and *likely* may, even when there is no historic evidence of its existence as a fact, be represented as an hypothesis on which to ground present phenomena. But a thing for which we have no historic evidence, and which at the same time offends against every known law of nature, cannot be regarded as an admissible hypothesis or as capable of accounting for any present phenomena. But of the "random" system, out of which customs are said to have proceeded, we have no historical evidence. And, on the other hand, every known fact is dead against the possibility of such a supposition. Trees could not survive without water. Animals could not survive without instincts. Men could not survive had they not a law to follow from the beginning, at least, as regards the essentials of the life of individuals and of the race.

We are not free, therefore, to suppose, as cause of our present moral system, that at one period of our history there were no laws of human conduct and no natural appetites; that from that period certain courses survived as more conducive to life than others, and that these

courses came thenceforward to be looked upon as natural and as enforced by natural law. "*Survival*" may be a factor in the maintenance of certain species; but the species that survive are those that act on the best system and follow the best law. A species that lived at random, that had no natural guiding instincts, could never survive the struggle for existence; and the human race survives because, in the main, men have always consulted their natural appetites and needs.

Nietzsche's "new morality" is built upon the denial of a natural distinction of good and evil. The laws that at present rule the world are, according to Nietzsche, the laws of the slaves who for a time have, with the aid of the priests, gained the mastery over the aristocrats. This is the law of pity, of mildness, of the equality of men. To this law must succeed, with the rise of another aristocracy, the law of hardship and of severest justice. But even the aristocracy must give way to another order—that of the "Ubermensch," or the Philosopher, and to his law of individualism, of independence from all things except himself, "independence of Fatherland, of Pity, of Knowledge, of his own freedom, of virtue itself, of all except himself and his sovereign individuality." *

At this point we have to consider only Nietzsche's theory that the present law, so far from being natural, is grounded on deceit, that even the aristocracy has been tricked into accepting a law as natural and necessary which yet is only artificial and is imposed upon them for their overthrow, and that this law must completely give place to another. Our answer is, that if this "Umwerthung aller Werthen," this *heel over* in Morality of which Nietzsche speaks, were to take place, if our present morality were to yield to another, man could not long survive the change. Just as no man could survive a change in his bodily functions—the use, for instance, of the heart for breathing, of the lungs for

* Hartmann, "Ethische Studien," page 55.

some other function—so human nature could not long survive a completely new departure in morals. Function is to the body what end and law are to conduct. And as the present law of the body is its only law, as one member could not be tricked into accepting a function* which did not naturally belong to it, so the present law of the social organism is its only natural law, and it could not give way to another. The positive law may change with change of circumstances, but there is even in the positive law a groundwork of natural law that can never change. Again, it is impossible that men could be deceived into thinking that certain rules of morality are natural and necessary. For, as we shall see later, our moral beliefs are held on grounds of Reason, and of many of these beliefs even the plainest and least educated of men could give a rational account.

Paulsen's theory that every condition of life and every country have their own proper morality, that the morality of the Englishman is not that of the Chinaman, the morality of the artist not that of the merchant, or that the natural development of conscience is towards individualism or towards *special* ideals,† is also answered by pointing out that even though in accidentals the duties of Englishmen and Chinamen, artists and merchants, may differ, in essentials they are the same. There is no condition or country in which stealing, lying, and the neglect of children are the natural thing, and their opposites unnatural. As all men have essentially the same bodily construction, so all have the same fundamental appetites and needs. And on these appetites is grounded the natural moral law. But, just as in Medicine, account must be taken of all the conditions, normal and abnormal, of the body and generally of the special requirements of individuals, so in Morals account must

* In saying this we are not unmindful of those interchanges of function which are considered in cerebral Physiology. These latter are not on a par with the violent and complete interchanges considered in the text above.

† "System of Ethics," pages 19 and 370.

be taken of the individual circumstances, and it is from these circumstances that the differences of moral law for different individuals mainly originate. Every man must pay his lawful debts, *provided he is able*. Every man must abide by the conditions of his contract, *but the conditions of contract in one country are not the same as those in another*. The necessities of art and of Medicine will justify some things in the life of an artist or of a physician which would not be regarded as justifiable in the case of the merchant. But neither artist nor physician may offend against the essentials of the natural law, nor may they use the acknowledged privileges of their profession except with a good end and intention, and with a due sense of subordination to the general laws. To every privilege Reason sets proper limits, and the limits of privileges arising from a man's status or profession are easily definable. In the main, then, the natural duties of all men are the same. Of this point a fuller explanation will be given in the next chapter.

Occam and Puffendorff ground all moral distinctions on the free will of God. The good they represent as that which He has freely commanded us to do. Now, this theory is equally positivistic with the theory of Hobbes and Carneades, even though it bases morality on God, and, like the theory of Carneades, it is disproved by all that we have said on the existence of natural moral distinctions. God, indeed, need not have created any finite nature, but, granted that natures are created, God cannot but wish for and command the attainment of natural ends.

Though not belonging to the theories which we are at present discussing—theories, namely, that represent all morality as arbitrary—we may nevertheless, on account of their connection with the views of Occam and Puffendorff, be allowed to say something here on the two theories of "Extrinsic" and "Independent" Morality.

A larger and more important question than that of the freedom of God's command in relation to the natural

law is the question of *Extrinsic Morality*—the question, viz., whether the moral distinctions, instead of being intrinsic in things and inherent in their very nature, are, on the contrary, wholly outside of acts, and spring exclusively from God's command (whether necessary or free) to do or to avoid them. This is the theory that we find attributed to Scholastics generally by Herbert Spencer. "Religious creeds," he writes, "established and dissenting, *all* embody the belief that right and wrong are right and wrong simply in virtue of divine enactment." *

If this means, as it seems to mean, that right and wrong are not properties of human acts themselves, then the statement is absolutely and demonstrably untrue. There is no commoner axiom to be found in Scholastic Ethics than the well-known "quædam mala quia prohibita quædam prohibita quia mala." The Ethical theory, therefore, of the Schoolmen was not a theory of "Extrinsic Morality." Even the smallest acquaintance with the works of Aquinas should convince us that morality is on his theory a property of acts in their very nature. He tells us that goodness means fulness of being in an act, and nothing could be more intrinsic to an act than its own being.

The Church, too, condemns the theory of extrinsic Morality. The 48th and 49th propositions of those *condemned* by Innocent XI in 1679 (see Denzinger, pages 328, 329) are the following:—†

"Tam clarum videtur fornicationem *secumdum se* nullam involvere malitiam et solum esse malam quia interdictam, ut contrarium omnino rationi dissonum videatur."

"Mollities jure naturae prohibita non est. Unde si Deus eam non interdixisset saepe esset bona, et aliquando obligatoria sub mortali."

This doctrine of "Extrinsic Morality" is also con-

* "Data of Ethics," page 50.
† These quotations are given in Ward's "Nature and Grace."

demned by Suarez, Lessius, and practically all the leading Catholic theologians.

Suarez writes:—"Haec Dei Voluntas Prohibitio aut Perceptio non est tota ratio bonitatis et malitiae quae est in observatione vel trangressione Legis Naturalis sed supponit in ipsis actibus necessariam quandam honestatem vel turpitudinem." And again "(mala) non possunt primam malitiam habere a Prohibitione" ("De Legibus").

And Lessius:—"Ante omnem Prohibitionem considerare in illis (actibus) quandam malitiam objectivam" ("De Perfectionibus Divinis Lib XIII.").

We may take it, then, that the theory of "Extrinsic Morality" is not the teaching at least of the Catholic Church.

But if Catholic Theologians and Philosophers expressly oppose the theory of Extrinsic Morality they are equally explicit in their opposition to the theory known as "Independent Morality."*

Independent Morality is the theory that moral distinctions have no dependence on God. It is formulated by Grote in his "De jure belli et pacis"; but Aquinas, in his doctrine of morals, expressly repudiates it. Goodness, he teaches, has a manifold dependence on God, because (*a*) without God there could be neither good nor evil, nor any acts. He is the first cause of all things, (*b*) because the "good" and the "natural" are one, and our natures are nothing more than a *certain participation* in the Divine nature. Consequently, the good in creatures is founded on, and is a reflection of, the Divine nature, (*c*) because good means direction to the final end,† and God is the final natural end,

* There are many forms of this theory. That which we now refer to is the extremest of these forms. Other forms of the theory will come up for discussion later.

† This and the next argument show clearly that good and evil have a closer dependence on God than other created things have. All created things are from God. But God does not enter into their definition. As the last end, however, He enters into the definition of the "good." From argument "*c*" it is plain that every morally bad act is a sin—that is, is a theological crime. A bad act is a turning away from our final end.

(*d*) because the good has not its complete meaning in this life. "Good" leads naturally to the actual possession of the final end, evil to its being lost. These things are of the essence of "good" and "evil." We have, however, seen already that the attainment of our final end lies not in this life. Consequently good has not its complete meaning in this life. But were moral distinctions independent of God, "good" and "evil" would be fully realised and completed here below. We cannot, therefore, assert that morality is independent of God.

CHAPTER V

THE MORAL CRITERIA

Meaning of Criterion

A CRITERION is a standard or test of anything. There are criteria of speed, of weight, of mental ability. A moral criterion is a criterion of moral good and evil.

Now, a test can be either a *fact* or a *principle*. The plumb-line is a fact-criterion. By it we test whether a wall be perpendicular or not. The axioms of Geometry are tests in the sense of principles. By means of them we test the truth of geometrical propositions. These two classes of tests, however, are not exclusive of one another. A test that is used as a fact can (and *must* when we would reason on it) be always formulated as a principle also. We can take a plumb-line into our hands and test a wall by it. We then use it as a fact. Or we can make the mental assertion "the wall that is plumb is perpendicular," and we have then formulated a principle. Ontologically, it is plain, the fact is primary. Logically, in the sense of helping to the formation of our judgments about things, the principle is primary. But as a rule it is in the sense of "facts" that we speak of "tests," and it is in this latter sense that we shall speak of Criteria in the following pages. Our enquiry, then, is—By what fact or facts shall we, in the last instance,* test the moral quality of actions?

* The primary criterion then does not mean that criterion which is applied *immediately* to human acts in order to test their morality, but that criterion on which we have *ultimately* to fall back in our arguments in order to test the morality of acts and the validity of the principles. Thus in treating of questions of justice we rarely apply the primary criterion directly. But when in defending the laws of justice we are driven finally back to the enquiry—what is justice or what are the simple natural relations of men in society?—it is then that we must make use of our primary criterion.

It may be well to state here that immediately and directly an Ethical criterion is meant to tell us not whether an individual is *formally* guilty or praiseworthy on account of his acts, but whether objectively and in itself a particular act or course of conduct is good—whether, *v.g.*, lying, killing, stealing are good or bad. But though this is true, still the determination of the formal morality of acts depends on the moral criteria also, since the individual man is bound to conform to the moral criterion, and if he does not do so it is only ignorance that can excuse him from formal guilt.

Division of Criteria

Criteria may be divided into—

(1) Primary and derivative.

(2) Proper or intrinsic, and accidental or extrinsic.

A primary criterion is a criterion which is original and fundamental, and is not itself dependent on or reducible to any other criteria—*v.g.*, the bronze bar in the office of the Exchequer as the standard of length.

A derivative criterion is one which is dependent on the primary. It is used as representative of the primary, generally in cases in which the primary criterion cannot itself be conveniently applied. Such are the ordinary weights and measures used in commercial houses. These secondary tests are necessary, for to test in all cases by means of the original weights and measures would be out of the question. A derivative criterion, however, is not always, as in the case of the weights and measures, a repetition of the primary. Any effect of the primary criterion could be used as a derivative criterion as we shall see later on in the case of the criteria of morals.

An intrinsic or proper criterion is one which belongs to the same category of being as the object which the criterion is meant to test—*v.g.*, a standard tape-rule as measure of length, a plumb-line as test of perpendicularity.

An extrinsic or accidental criterion is one which belongs to quite a different category of Being from that which the criterion is used to test, but is so connected with the quality to be tested as to be a good sign of its presence—*v.g.*, a man's dress as criterion of his position in Society, weight as a test of quality.

These divisions are not exclusive of one another. The weight tests might, as tests, be either proper or accidental. They are a proper measure of weight, but they could be an accidental measure of quality also, if used—*e.g.*, as a test of gold. But, as primary, a criterion is always proper, and hence we shall in these pages always understand by a primary criterion one that is at the same time primary and proper.

Need of an Ethical Criterion

All sciences need criteria, for a science is always *de ignotis*—and to make known that which is unknown implies the use of criteria of truth. But in Ethics there is a special need of Criteria, because, whereas light, sound, heat, mathematical relations, &c., can be perceived by the senses or the intellect, that which forms the subject-matter of moral science—viz., direction to the final end—is not immediately perceivable by any faculty, and becomes known to us by inference only. Now, all inference requires criteria. We need no criterion by which to tell whether certain roads lead to a town which lies under our very eyes, because we can see whether they do so. But if we do not see the town, if we merely reason that it *must* be somewhere near, then we have to use criteria like sign-posts or the state of the roads, in order to know whether a certain road leads to it. In Ethics we do not see the *end* which primarily concerns us—viz., the final end of man. We know intellectually in what that final end consists, but we do not perceive it directly, nor do we see always directly what acts lead to it; and, therefore, to judge of morality or of direction to the final end we need criteria of morality.

We shall enquire, then, into—

(*a*) The Primary criterion.*

(*b*) The secondary criteria.

(*c*) Certain difficulties to our doctrine of natural morals.

(*a*) The Primary Ethical Criterion

Conditions of the primary criterion

Before proceeding to discuss directly the primary Ethical criterion we must prepare our ground by explaining from the meaning and function of a primary moral criterion what conditions we should expect it to fulfil.

(1) The primary moral criterion must be absolutely *true* and *reliable*, because it is itself the final measure of moral truth. Unless the primary criterion be above suspicion there could be no ascertainable moral truth whatever.

(2) The primary criterion must be *stable* and *unchangeable*; for the criterion is a measure, and if the measure be not fixed there could be no measurement. If, for instance, the original measure of length already spoken of were capable of becoming longer or shorter, or at least of changing without our knowing it, or being able to allow for such change, then measurement would become absolutely impossible. So, also, if there is to be such a thing as testing moral truth, the final test of morals must be unchangeable. How this quality of stability in the criterion may be consistent with development in the moral code we shall enquire later.†

* We seem here to assume that the primary criterion must be one. There is really no *a priori* reason why there should be one supreme primary criterion. The primary criterion in the case of Geometry is the axiom, and axioms are many and distinct. So we might expect *a priori* that the primary criterion of morals will be not one but many. But just as in Geometry there is in a certain sense only one criterion—viz., self-evident geometrical truth (since all the axioms are self-evident), so we shall find that the primary moral criteria all reduce to one—viz., to something which is common to the various individual primary criteria.

† See chapter on Evolution.

(3) The moral criterion must be *universal*—that is, it must hold for all men. The reason is that, since all men are of the same nature, the final end is the same for all, and hence the final test of direction to that end must be the same for all. This does not mean that the concrete duty of one man will be the same as that of another. But it means that the duties of two men situated in exactly similar circumstances will be the same.

But, besides being the same for all, the primary moral criterion must be also universal in the sense of *accessible to all*. By this we do not mean that all men must have the same knowledge of it or be able to analyse it to the full, but that, in the rough, all ordinary men should know of it. The reason is that the ordinary man must have been equipped by nature with some means of knowing the general moral law, since it is found that the rudest savages, even apart from their training, have some knowledge of morality. Now, such knowledge is possible for those only who have some access to a criterion of morals, and hence the criterion must be in some way accessible to all.

(4) The primary criterion must be *practicable—i.e.*, applicable to reality. If the criterion be not applicable to real human life, it cannot be a criterion of moral goodness which means the direction of the living individual man to his last end.*

These are the four main conditions of the primary moral criterion.

* As instance of a criterion eminently unpractical we would cite Cardinal Zigliara's criterion of morality—*objective evidence*. I am asked, for instance, how one is to know whether suicide is bad, and I answer that it must be bad since its badness is objectively evident. Now, this criterion cannot be regarded as practicable because it does not give the information required. It is exactly because the law is not evident that I ask what is the law? If a chemist were to say—we know a certain gas is hydrogen because it is evident it is hydrogen, he could not be said to announce a practicable criterion. A criterion is a test, whereas evidence is not a test. What is evident needs no test. But when a chemist tells me that he knows a gas is hydrogen by the colour with which it burns he has then indicated a practical test and a criterion. It is the same in moral matters.

WHAT IS THE PRIMARY CRITERION OF MORAL GOODNESS AND BADNESS?

We go on now to enquire into the nature of the primary criterion. An act is morally good when it is directed by Reason to the ultimate end. Now, when does an act tend to the ultimate end? Unless we can find some link between "act" and "final end" we could not answer this question, for we have no direct knowledge of the relation between act and final end—*i.e.*, we do not see the end, and we cannot gather from the mere conception of the act whether it is directed to the final end. But there is one thing that we shall have no difficulty in admitting in this connection—viz., that *a man tends to the ultimate natural end when he tends to the immediate natural end of his own being as man*, for we have no other way of tending to the final end than this. What tends to any final end tends to it through proximate ends. All motion is a motion from proximate to final end. And when the final natural end is not immediately observed we know that we tend to it when we know that we move towards the more proximate natural ends.*

How, then, shall we determine what is the immediate end of man? We answer, the immediate natural end of man is determined in exactly the same way as we would determine the immediate end of any other natural thing—such as a tree or a horse—for the mode of our knowledge of all is the same. Now, the immediate natural end of any being depends upon the ends of its various faculties, due allowance being made for the natural order of these faculties. For example, the immediate natural end of a tree is determined by the ends of its various vegetative functions. Its end is to grow and blossom and bear fruit, and shed its seed. The immediate natural end of man is determined by a consideration of the ends of all man's functions—vegetative, sensitive, and rational.

* Besides, we should mention that in Ethics we determine the final end by determining the immediate natural ends of the faculties. This we saw in our chapter on the Ends of Action.

The question arises, therefore—How are we to determine the natural ends of these various human faculties and appetites? There are two conceivable ways of learning the ends or objects of faculties, capacities, or appetites—either *a posteriori, i.e.,* by experience, or *a priori, i.e.,* by reasoning from the nature of the living thing (nature being the inner principle from which the faculties or appetites of a thing spring). Now, the second of these alternatives is excluded by the simple reflection that we have no knowledge of this inner nature apart from the operations to which it gives rise and the ends and objects of these operations. We must, then, if we are to determine the ends of the faculties, determine them experimentally—that is, by direct observation of the operations of these faculties and the objects of these operations. It would seem, then, that we determine what is the final end and whether an act leads to it by determining the proper objects of the natural appetites. And since these objects are determined not *a priori* by reasoning from any other truths, but empirically and experimentally, these objects must be the final criterion by which we may know whether an act leads to our ultimate end or is good.

In the foregoing argument, however, we are certainly assuming a relation to exist between inner nature, on the one hand, and the capacities and the natural ends on the other, on which we think some remarks are necessary.

In general, end and nature define each other. Given the nature of a thing we can predict its end. Given the end we may infer the nature. This principle we shall most easily understand by taking some concrete examples. Once I have seen the materials, the form, and the inner construction of a boat—that is, once I come to know its nature—I can at once tell with tolerable certainty the end it is meant to serve. And when I see a knife, with its fine edge and its handle shaped to a particular form, I know that its end is to cut. Given then the nature of a thing, we can determine its end or object. On the other hand, end determines nature.

Nothing is commoner than to define a thing by the end it is meant to serve. A boat is a vessel for carrying people or merchandise over water. A watch is an instrument for telling the time. And even where we do not know the nature immediately, we can often tell, to a large extent, what the nature and the inner structure must be from the mere conception of the end. Did I know, for instance, the end of a camera—that a camera was meant to reproduce the forms or surfaces of natural objects—then, provided I knew fully the laws of objects, of light, and of perspective, I should be able to tell also the form which the camera should take before it could reproduce these surfaces.

These examples concern artificial objects. But the example of the living organism is even better. Had I an *a priori* knowledge of the nature of a tree I could also tell *a priori* what is the natural end of the tree. If I could see its inner structure and the laws of the fibres I could tell at once that the end of the tree was to send forth leaves and to blossom, and I should see that these ends must culminate in a further end, the shedding of the seed, as a means to the growth of other trees. Also, did I know the inner nature of a bird, I should be able at once to predict its habits and the ends it would attain. On the other hand, given the ends to be achieved, I should know that the being must be endowed with such and such faculties and instincts—that is, I should be able to tell its nature. We have no difficulty, then, in accepting the general Aristotelian principle that the formal and final principles of things define each other.

Now, which of these two—nature or end—is, *de facto*, first in the order of knowledge? Do we first know the nature of a thing, and from that determine the end of its capacities, or do we know the ends of things by ordinary observation, and from the consideration of these ends determine nature? We speak here of organised beings only, for in Ethics we are concerned only with the end and nature of the human act. We answer as

before—first in the order of knowledge comes "end"—the nature of the agent is an inference. We know nature only as the principle of certain capacities in the agent, and capacities are known through acts, whilst acts in their turn are specified by ends or objects. Human nature is that principle within us from which spring all our faculties—vegetative, sensitive, and rational. And we know that we are possessed of these capacities because we know that we actually feel and think. And these same acts of feeling and thinking make us conscious of, and put us into relation with, their objects. Hence our first and directest knowledge is that of the objects or ends of action. These objects are known to us by direct examination and empirically, and these being once determined we can safely proceed to specify man's faculties and nature.

Through the objects or ends of our various faculties, therefore, as known by observation, we determine the nature of man—not *vice versa*. But, as we have already seen, it is from these same objects or ends that we determine our final natural end, and whether an action leads to it—that is, whether an action is morally good or evil.

Our primary criterion, therefore, of moral goodness is—the natural objects of the appetites. Those objects or acts to which we are directed by natural appetites are good—they lead us to our final end, and what is necessary for the attainment of these objects is also good. Actions that oppose our natural appetites and their objects are bad. Whether an act accords or does not accord with the natural ends of the faculties is not, indeed, in all cases determinable with the same ease or accuracy. Thus it is possible, from a single instance or even without instances and judging by common sense only, to know that certain actions will not promote the end of matrimony which is the continuance of the race. But sometimes we have to use many instances before we can come to a definite decision, as in the case of marriage between persons closely related by blood, the evil and

unnatural character of which can only become certain after many instances have been examined. But in so far as certitude is ever found these ends or objects of our natural appetites are the primary criterion of our moral judgments.*

THE PRIMARY MORAL CRITERION APPLIED

(1.) We must now give instances of the use of our primary criterion. The first and most obvious instance of the use of the primary criterion is the case known as the *natural and unnatural use of a faculty*.† A faculty is used naturally when it is used in such a way as is conducive to the realisation of its own end. The unnatural use of a faculty is its use in such a way as to oppose its own end. For clearness' sake we shall confine ourselves to the case of the unnatural use of a faculty. In order that a faculty be used unnaturally two conditions must be fulfilled, viz.—(1) *the faculty itself must be used, and* (2) *it must be used for an unnatural end*. The misuse of a faculty is not the same thing, then, as injuring it or rendering it useless. Misuse means the perverse use of the faculty—its being made to perform its own function specifically and directly, but in opposition to the purpose which nature intended it to fulfil. Thus, to use the sexual faculty in such a way as to frustrate its end, which is the continuance of the race, is to act against the natural purpose of the faculty and to violate one's own nature and the law of nature.‡

Again, there is the case of lying. The natural end of the faculty of speech is the expression of inner conviction to another.§ But if speech be used to express what

* "Quia vero bonum habet rationem finis malum autem rationem contrarii, inde est quod omnia illa ad quæ homo habet naturalem inclinationem ratio naturaliter apprehendit ut bona et per consequens ut opere prosequenda, et contraria eorum ut mala et vitanda" ("S. Theol.," I., II., Q. XCIV., Art. 2).

† This teaching does not involve any theory as to the distinction of the faculties from the soul itself. It merely implies that we have natural capacities.

‡ The case of sterility is quite different from this. There the impossibility of realising nature's end is not due to the individual in question but to certain conditions over which persons have no control.

§ This we shall prove in the second part of the present work.

we believe to be false, the faculty is used unnaturally, and the act is morally bad. The end or object of the faculty of speech, therefore, is the test of good and evil in the use of speech.

Again, there is the case of suicide. In suicide the whole appetent nature of man with all his faculties is used unnaturally. For every appetite and capacity in man tends mediately or immediately to the maintenance and perfection of the agent,* whilst suicide is the use of the will and other capacities to the destruction of the agent. The natural end, then, of man's appetitive nature is here, as in the other instances given, our test of good and evil.

These examples will show what is meant by the unnatural use of a faculty. It means, not injury to the faculty from outside, as when one man hurts another so that a faculty cannot be exercised, but "violation from within"—*i.e.*, the *use* of the faculty for an unnatural end.

This is the first and most obvious example of the use of our primary criterion. The rule not to use a faculty in such a way as to oppose the realisation of its natural end is universally and absolutely valid. There is not a single exception to it. To use a faculty in such a way as to make its natural end impossible of realisation is intrinsically unnatural and bad. There could be no more direct and unequivocal violation of nature than this. It is the complete perversion of nature's purposes and needs.

(II.) But the primary criterion of morality—the natural objects of the appetites—is applied in other instances also, and in many of these instances its use involves a great deal of complicated and difficult reasoning. Thus in determining our natural social relations, or what are known as the relations of justice between man and man, we have to consider a plurality of natural appetites and their consequences. First, there is the appetite for Society. In man there is a natural appetite for Society, an appetite to live in communion with others and to work

* See back page 89 for proof of this proposition.

with them. Now, Society implies unity of end, and unity of end with plurality of agents implies a governing head. Hence arise the social differences, the laws of the relation of governing and governed, and the rights of the governing power. Again, the subjects themselves have their natural social relations, and these determine how we stand to one another in matters of human justice. Men are all possessed of rational wills, and, as we saw, the final end or object of the human will is the Infinite Good. Since, therefore, all men have the same final end, individual men should be regarded not as means to one another but as independent "persons" (for a means is that whose end is only a part of or is meant to lead to the end of another), and, therefore, as having a right to the use of that which leads to the final end without interference from others. Hence arise the laws of justice and of equality of man with man.

Without the social appetite, then, we should have no natural social relations, for without such appetite Society would not be a "good," except, perhaps, as a means to some other good. Again, if the final natural end of our wills were not what it is—namely, the same for all men—if different men had different ends, we could not establish the relations of equality of man with man in so far as Society allows of equality. But given these appetites and their objects we can reason from these objects and their relation in order to determine our social relations and the laws of justice which govern our relations.

We are here merely indicating in general the mode of application of the primary criterion. We are not attempting a scientific deduction of the requirements of Society or of justice. But it will be plain that in determining the natural social relations we take our stand upon the objects of the various appetites—the appetite for Society, and that for our final end, and from these we determine the place of the individual in Society.

(III.) But in applying our primary criterion of the

good—namely, the natural objects of our faculties and appetites—we must determine, not merely the end of each of these faculties taken separately and independently, but also the natural relations subsisting between the object of one faculty and that of another, and many very interesting moral problems turn upon the consideration of these relations.

The natural order of the faculties is determined by the natural order of their objects. Each faculty has its natural object, and between the objects of the faculties there is a certain natural order. This natural order is one of the *greater or less—i.e.*, of greater or less *breadth of object* subtended by the faculty.* Thus the object of the vegetative faculty is a comparatively narrow one—it is, as Aquinas terms it, *corpus proprium*. The object of the sensitive faculties is much wider; it embraces as much of the sensitive world as is materially present to us and knowable. Wider still is the object of intellect, which embraces the whole world, present, past, and future, material and immaterial. "Intellectus fit omnia" is Aristotle's trite description of it. This difference in breadth of object subtended by the faculties establishes between these faculties certain relations of supremacy and inferiority, and makes of them a hierarchical order corresponding to the natural hierarchy of ends they serve. Amongst appetites in particular (for they are the faculties with which we are particularly concerned in Ethics) the lowest appetite will be the vegetative; the next is the sensitive appetite; the highest, or the master appetite (that which depends on Reason, and *whose object embraces the objects of all the appetites*) is the "will." It will easily be seen, too, that in man the higher of these faculties is built upon the lower—the sensitive upon the vegetative and the rational upon the sensitive—just as a house is built upon its foundations and the higher storey upon the lower. And as the founda-

* "Genera vero potentiarum animae distinguuntur secundum objecta: quanto enim potentia est altior tanto respicit universalius objectum" ("S. Theol.," I., Q. LXXVIII., Art. 1).

tions may be regarded as means and the house as end, so the lower faculty may be regarded as means to the higher.

But the original hierarchical order of supremacy between the faculties—the order with which we have to deal in Ethics—appertains to difference in the width of object that they subtend, and depends upon this difference.

Now, in determining the morality of actions in which many faculties are concerned, we might proceed in each case upon the consideration of the width of object subtended by the faculties in question, and declare that any act in which the wider natural object is made subservient to the narrower object, or, which is the same thing, any act in which the whole is made subservient to the part, is an unnatural act. But such a proceeding would be complicated and unnecessary. For instead of appealing always to the object, we may determine once and for all by means of this relation of width of object the natural relations between the *faculties themselves,* and, that being once determined, we may use as criterion of morality the natural relation of higher and lower between the faculties themselves, and declare it wrong to subject a rational faculty to a sensitive or a sensitive to a vegetative faculty, the lower part in any organism being always subjected to the higher and made to minister to it. To disturb this order of nature or to disregard it in our actions is to offend against nature quite as directly and as surely as if we used any single faculty perversely.

As, therefore, in any organism each part has its own end distinct from that of other parts, yet serves certain other parts, and as the end of each part is subordinated to the end of the whole, so every faculty in us has its own end or object, but is subordinate to the wider faculty which contains it and to the whole organism, since the end of the whole organism includes the end of each part. From these relations we derive the laws of organisms. And these laws give rise to moral precepts. For, just as in a machine, it would be irrational to use a screw to

the detriment of the shaft which the screw is meant to maintain in its place, so also it would be unnatural to use a vegetative or sensitive faculty to the destruction of intellect, or to blot out the intellect for the sake of administering to those lower faculties *some momentary enjoyment*. So drunkenness is unlawful, since in it the intellect is suspended or obscured * for the sake of securing an unnecessary momentary organic pleasure. But it would be quite lawful to obscure or suspend the intellect *temporarily* either for some *permanent* good accruing to the sensitive or material parts, or more especially for some good accruing to the whole man, for each part has its own value, and the end of the whole man includes the ends of the parts. It would be natural and lawful, for instance, violently to be made unconscious, either by means of ether or alcohol, in order to get relief from great physical pain or to get a limb cut off which endangers life, for in such an act there is no personal disorder. Neither is there personal disorder in temporarily suspending Reason in order to remove a serious bodily deformity, for, as we said, though the lower part is subjected to a higher, yet the lower parts have their own value, and a temporary suspension of a higher faculty in order to secure a permanent good in a lower is quite in accordance with the order and requirements of nature. Briefly, part may be means to the whole, yet part has its own value too, and its value must be taken account of in estimating the order of our faculties and their subjection to one another. But in all these cases the criterion on which we build our moral judgment is none other than the objects of the faculties concerned, and their natural relations to one another.

In the second part of our work we shall consider this

* In sleep the suspension of our intellects is itself natural and necessary for life. The suspension of Reason spoken of in the text is the violent and unnatural blotting out of Reason effected by ether or alcohol. Aquinas gives another explanation of the wrongfulness of drunkenness. "Drunkenness," he says, "in blotting out Reason, thereby subjects us to the risk of sin, Reason being our guiding faculty."

subject of the primary criterion and its applications more closely than is now possible for us.

(*b*) The Secondary or Derivative Criteria

As we have already explained, a derivative criterion is dependent on the primary criterion, and is applied in place of the primary when the primary criterion itself cannot be used. For sometimes, on account of the complicated reasoning involved, we are not able merely by considering the ends or objects of our faculties to say whether a particular act is natural or unnatural, good or bad. In such cases we can often have recourse to other criteria which tell us indirectly whether an act is natural or unnatural, from a consideration, namely, of some necessary consequence or concomitant of natural or unnatural action—something which a natural act either involves or excludes. Some of those criteria are so intimately connected with the primary criterion that the certainty they afford is practically equal to that given by the primary criterion itself. Others are connected with it less closely, and these either give us a low degree of certainty or only a high degree of probability. But they are genuine criteria if they yield us anything approaching certainty on the moral quality of actions.

(1) First Derivative Criterion—General Injury with General Observance

The first of these derivative criteria is that known as the principle of "General injury with general observance," and its opposite "General utility with general observance." That act is good, we say, which, if it were raised to a general line of conduct, should necessarily work out happily for the race; that act is morally evil which, if it were raised to a general line of conduct, should necessarily prove injurious to the race.

The value of this criterion will be evident if we consider that it results from a far-reaching metaphysical truth—the truth, namely, that "nature never tends to

its own destruction." We may regard this principle as almost a truism and as borne out both by Reason and by common experience. Let the parts of a machine all work together according to the manner of their original design, let them not be worn out or displaced, and the machine will work easily and smoothly and well. Let all the conditions of nature be observed in eating, let no organ be put to a work which is not naturally its own, and let each organ perform its normal and natural functions, and then only one effect can follow—viz., health and well-being. Under such conditions as these injury or decay becomes impossible. But let any organ be put to work under conditions that are not natural to it, and the result is destruction. And as we thus reason about a machine or the physical functions of the human body, so we can reason similarly about the exercise of our other natural faculties. Let a man use his faculties as nature intends they should be used, and it is impossible that their exercise should not promote his welfare. And the welfare of which we are now speaking is not the welfare that will follow upon the attainment of the *ultimate* end, but our physical and mental, as well as our social, welfare here below. To work naturally, therefore, is to work well; to work unnaturally is to work to destruction.

Any course of conduct, therefore, that works destruction generally, cannot be the course of nature. We say "generally," for from a *single* act and its consequences it would be impossible to say whether an act is natural or unnatural. In individual acts there are always accidents and unessential circumstances, and the good and evil in such cases may be the result not of the act itself as such, but of the accidents or circumstances incident to its performance. And, therefore, it would be wrong to conclude that because a particular kind of action in a particular case was attended by evil consequences, that *kind of action* must be unnatural. But humanity at large is subject to no accidents, and effects that follow upon a certain kind of action at all times and in all cir-

cumstances must follow not from the circumstances but from the act considered in itself. And hence an act that always works ill—*i.e.*, an act which, when made a general line of conduct, *must* injure mankind—must be discordant with human nature and with the ends of nature. We should remark, however, that "injury" is a surer criterion of evil than "benefit" is of good; it is evident that nature reacts more surely and more promptly on the unnatural than it responds to the natural. A little poison will injure a man, whereas much good food may not increase his health. And hence we prefer to give as the formula of this present criterion the negative formula that "what brings injury to the race when raised to a general line of conduct is bad."

In order, then, to make prominent the negative which, as we have seen, is also the stronger side, we shall call our criterion, for want of a better name, the principle of "general injury with general observance."

This is the first of the derivative criteria, and as a criterion it is absolutely incontrovertible, for it rests on a fundamental truth of Metaphysics—viz., that nature tends to maintain itself, and that, consequently, whatever tends to general destruction, and tends to it irrespective of particular circumstances, is unnatural.

The question arises—is this criterion intrinsic or extrinsic? We reply—sometimes the effects of an action are coincident with its natural end or object, and then the criterion is not only intrinsic, but is, properly speaking, an application of the primary criterion. Thus marriages between persons not related by blood are, other conditions being fulfilled, natural, because by them are secured the maintenance and welfare of the race. On the other hand, marriages between blood-relations are unnatural because, instead of promoting the ends of matrimony, they bring injury to the race. But here the good and the bad effects are respectively coincident with the natural end or object of matrimony and its opposite, and hence in arguing from the effects we are

arguing from the end itself—that is, we are making use of the primary criterion. But in the case of drunkenness, whereas the intrinsic evil of the act consists in the fact that Reason is temporarily suspended for no just purpose, the evil effects of drunkenness on the race at large are rather an evil of body than of mind, or, at all events, they are different in character from the evil which makes of drunkenness a specific sin; and, therefore, though we might use these effects as a secondary criterion in order to determine whether drunkenness is a sin, they could never be more than an extrinsic criterion.

In general, then, this secondary criterion, though most reliable as a criterion, is extrinsic.

Conditions of Application of this Criterion.

The general condition of application of the present criterion is that any evil consequences which serve as the criterion of the inherent evil of an act must be such as spring from the act itself *specifically* and necessarily, and not as a result of some adjunct to or circumstance of the act. This general condition includes the following three:—

(1) The bad effects from which we judge must not depend upon free will. They must follow as a necessary consequence of the act itself. For instance, it might be argued that mixed education is intrinsically unnatural because social ruin would be sure to follow were the sexes educated together generally. But this is not an application of our present criterion, because the evils that follow in the case result, not from the fact that the sexes are educated together, but from the fact that people would of their own free will and through weakness take advantage of the relations thus established for perverse purposes. The system, therefore, of mixed education, though it may be condemned on other scores, cannot be condemned on the ground that it is intrinsically unnatural. And not being intrinsically unnatural, it is not intrinsically bad, and can be allowed in certain extreme circumstances and with certain precautions. Other

examples of this first condition will readily suggest themselves.

(2) The evil effects must be the result of the act itself and not of the absence of that which the act replaces. The following is an interesting example of this distinction:—If all men were to become pawnbrokers social life would necessarily decay. Is, therefore, pawnbroking unnatural? Certainly not, because in a society in which all men have become pawnbrokers the decay that ensues is explained, not by the fact that all men have become pawnbrokers, but by the fact that there are now no other trades in existence—by the fact, namely, that there are no grocers, no merchants, no bakers. If, however, all men became pawnbrokers, and at the same time carried on some other business, then there is no reason why the evils suggested above should arise. The evil effects when they do arise spring, not from the pawnbroking, but from the absence of those trades which universal pawnbroking would replace.

(3) The evil effect must not be the result of too much or too little in the action, but of the act itself as such. Thus, if all men were to drink whiskey at all hours and in unlimited quantities, the race would soon disappear from the earth. But the use of whiskey is not thereby unnatural. For the effect is due to the intemperate use not to the use of whiskey. If all men drank moderately no evil effects need follow.

We have drawn out these conditions separately because of their importance, though in reality they are all contained in the one condition—that the evils must follow from *the act itself specifically*. Fully announced, therefore, the principle takes some such form as this—"Any act which when raised to a general line of conduct will, owing to its specific character, injure humanity, is intrinsically unnatural and bad."

The present criterion manifestative only, not constitutive of morality.

Now, as the one function of the criterion in question is to help us to know whether a human act is natural or

unnatural, it will be easily seen that the criterion as such is only *manifestative* of morality not *constitutive* of it—in other words, that an act is bad not *because* on being raised to a general line of conduct it works destruction, but *if* and *in case that* on being raised to a general line of conduct it works destruction—that is, *we know* that an act which brings about evil consequences must be unnatural and intrinsically bad, but it is not intrinsically bad because of these consequences. No doubt it is intrinsically wrong to inflict injury on humanity, and one of our special duties is to avoid such injury. But at present we have nothing to do with any *special* duty. We are asking what it is that reveals the moral badness of acts in general? And we say that an act is bad *because* it is unnatural and because it does not lead the will that performs it to the ultimate end; but *we know* that an act is unnatural through its effects, and, therefore, this criterion *manifests* to us the moral character of action; but it does not *constitute* the moral character—*i.e.*, it does not *make* an act good or bad.

From this a most important conclusion follows—viz., that *an act which, if raised to a general line of conduct, would work evil for the race is bad, not merely when it is generally adopted and when it does actually work evil, but in each particular case in which it is performed, and whether evil effects actually follow in the particular case or do not.* The importance of this conclusion cannot be over-rated. And the reason of it is very plain. The criterion is manifestative of, not constitutive of, morality. The act is bad not *because* it works evil effects on the race, but because it is *unnatural*, and leads away from the ultimate end. Were it bad *because* it affects the race prejudicially, then it would be evil when such evil effects do actually follow, and in no other case. Where, however, the injurious effect is only a sign of moral badness, the act will still remain bad even in cases in which for some reason or other the effect does not happen to follow, for the badness does not depend upon and is not constituted by the effect. We can find plenty

of suggestive examples of such a distinction even in the physical sciences. We know that a certain substance is poisonous by the fact that if a sufficient dose of it be taken it kills. But once we have established that fact we may still maintain that this is a poisonous substance even though we should meet cases in which for some reason or other (*v.g.*, because the patient by careful dosing has rendered his system poison-proof to this substance) the bad effect does not actually follow. Again, to alter the class of example, we know that the waves of the sea must have a certain intrinsic energy because of the ravages they effect on the coast. Should, however, we see a coast that, on account of its position, is proof against the waves, we still may attribute to the waves the same intrinsic energy as before. In these two cases the effects are only manifestative of a certain quality, and, therefore, once by means of the effects we have established the certain existence of this quality or nature, we must still assert this quality or nature even though the effect does not happen to follow.

So also in the case of moral science, we know that stealing is bad intrinsically and always, and *one* * of our reasons for thinking so is that social life would become absolutely impossible were stealing made generally allowable. For a similar reason we know that a lie is bad. But once it has been made evident to us through these effects that stealing and lying are intrinsically bad acts we need not afterwards in individual cases set ourselves to consider the actual effects in particular circumstances; for the bad effects that we observed were merely an extrinsic test of the intrinsic evil of these acts, they were not themselves part of the intrinsic evil of these acts; had any other test presented itself we need not have considered these effects at all. Hence the lie remains bad always, even though in a particular case no evil results ensue either for the race or

* The reader must not conclude, because we apply to a particular class of conduct one of the secondary criteria that therefore we are unable to use the primary. As a matter of fact, both stealing and lying are most interesting illustrations of the primary ethical criterion.

for the individual. So also we know that nature forbids matrimony amongst people closely related by blood, and we know this by the fact that marriages largely entered into amongst blood relations are followed by racial degeneration. But once we have established this law of the evil of such marriages we know that they are intrinsically unnatural, and that, therefore, they are forbidden in every case.* Briefly, the present criterion is manifestative of morality, not constitutive of it, and, therefore, any moral truths that are derived from a consideration of the evil consequences hold good even when, through some accidental condition which may or may not be known to us, the effects happen not to follow.

It occurs to us that from the beginning of the present section readers may possibly have been exercised about the question how this criterion of morality drawn from the consequences of action stands related to another theory which we shall have occasion to speak of later—namely, the theory of Utilitarianism. This question we are now in a position to answer. Utilitarians like ourselves insist that the consequences of an act are a criterion of right and wrong in human action. But the two theories are nevertheless radically distinct and opposed, as will be seen from the following brief comparison. In the first place, Utilitarians insist that the happiness or well-being of the race is the final natural end of good action as well as its criterion. We claim that the happiness of the race is only a criterion. Secondly, in the Utilitarian theory the consequences of an act *constitute* its goodness, in ours they merely manifest the same. Thirdly, in the Utilitarian theory the consequences are the primary and fundamental criterion; we regard them as affording a secondary and derivative criterion only. Fourthly, Utilitarians believe that if a particular act itself brings unhappiness to the race, it is bad. We claim

* We do not here enter fully into the question of consanguinity and the natural law. We are at present only illustrating a principle, and therefore we speak without any attempt at great scientific or even ethical precision on this question.

merely that if *an act should necessarily injure the race on being raised to a general line of conduct* it must be bad. These points of difference are essential and render the two theories not only distinct but radically opposed.

Note on Ethical Optimism

From what we have said it will be plain that there is between morality and the general welfare a very intimate connection—that, therefore, St. Augustine had Reason upon his side when he declared—"Necesse est ut homo sit beatus unde sit bonus," and that Kant was near the truth when he declared that a good act was one that could be made a universal law of action for men.

Although this question does not come within the scope of Ethical Enquiry in its strictly limited sense, it will be well to say a word here on the general theory of "Ethical Optimism"—the theory, viz., that "virtue alone is happiness below," or that the good and happiness must be proportionate to one another. This question would not arise at all except for, first, a seemingly ineradicable conviction on the part of men in general that virtue and happiness *ought* to be proportionate; and, secondly, a conviction born of experience, that to a very large extent they are not proportionate. Plato attempts to prove the theory of optimism by showing that such pleasures as do not spring from virtue are unreal, and that, therefore, the parallelism between virtue and real pleasure must be complete. But this theory is very unsatisfying to the practical man for whom *felt* pleasures and pains (whether real or unreal) are everything. Not more satisfying is the theory offered by some Aristotelians that, according to Aristotle, contentment ensues on the attainment of good, and that good and contentment must, therefore, correspond. This theory is purely *a priori*, and takes no account of the fact that often good men are unhappy. But to cope with the facts, whatever may be our general theory of happiness, it will be necessary to proceed not *a priori* but empirically. We must see how, in the actual experience of men, happiness stands related to goodness, whether they are proportionate or not, and what are the causes of the disproportion if they be found to be disproportionate. The following propositions will, we think, represent with tolerable accuracy the relation of happiness to virtue in so far as this relation is known from experience:—

(*a*) *The virtues and happiness generally.*—We cannot claim that there is an *absolute* proportion between the *virtuous* life and happiness. The most virtuous man is often unhappy here below. And even if this unhappiness is to be made up for

hereafter, yet present sufferings remain as an element of disproportion and as disproving the theory of an absolute correspondence between virtue and happiness. Coming more to particulars, we shall consider, first, the general happiness, secondly, the individual happiness.

(*b*) *On the universal welfare* we would assert the following general propositions:—

(1) That it would be impossible for humanity at large to last any length of time with no leaven of good in it—*i.e.*, with every man a liar, a fornicator, a thief, &c. Universal vice, with no good, should soon bring its own terrible retribution, and make it clear that the wages of sin is death.

(2) Next—to take the case of a world partly good and partly evil—we claim that a nation with absolutely no *social* virtues like justice, the marriage virtues, truth, &c., must forthwith decay. These virtues are the natural fastenings to which a nation owes most of its strength. Without them it could not exist any length of time. Also, in the case in which these virtues are not wholly wanting, a nation will still, other things being equal, be weaker in proportion to the deficiency.

(3) A nation in which the social virtues (those, viz., which affect not the personal good, but the relations of men with one another) are cultivated may still be as a nation strong and prosperous, even though the *private* virtues be almost wholly wanting. An utter or a grave absence of private virtue must, indeed, soon react upon the public life and prove detrimental to it, but formally and directly the private virtues affect the private welfare only. Between, therefore, the public morality and the public welfare there is undoubtedly discoverable a law of correspondence. They are, practically speaking, proportionate to one another. Further correspondence it would not be rational for us to expect.

(*c*) *The individual life*:—(1) Speaking generally, no act is pain-producing by being natural and good, or pleasurable so far as it is unnatural and bad. On the contrary, if a bad act produces pleasure it is the good element which inheres in every evil act that is the source of the pleasure. Thus, if a man steals money, the good effects that accrue to him arise not from the fact that the money is stolen, but from the fact that he has come by money—a good thing viewed in itself. (The sweetness of stolen fruits does not contradict this view. Their pleasure is born not of the dishonour of them, but of the excitement and the novelty in the mode of getting them.) So also a sin of unchastity brings pleasure to the individual not from the fact that a faculty is exercised unnaturally, but from the fact that it is exercised at all, and in part naturally.

(2) The *moral* good, or what is called "virtue," does not quite correspond to happiness, the reason being that the *moral* good or virtue is not the whole of "good." Happiness and the "good" are really proportional to one another. But "good" and "evil" are of two kinds—physical and moral—and happiness and misery depend upon the two kinds. We suffer something from a morally bad act in so far as it is unnatural (from some acts more, from some less), and we suffer from physical evil also—for instance, from a broken leg. Hence for perfect individual happiness a man should be subject to no evil whatsoever—either physical or moral. A perfectly virtuous man, therefore, is liable to unhappiness from two distinct sources—(*a*) a personal physical evil; (*b*) evil, physical or moral, in his surroundings. The importance of this latter is sometimes overlooked, particularly in reference to *morally* evil surroundings. The good is at ease only in good surroundings. Thus justice as such brings happiness. But a single injustice will upset the moral equilibrium of a whole community, and then even justice may cause misery. It is a pain to pay my debts when others do not pay me. To sum up—"virtue" (or moral good) and happiness may not fully correspond, but happiness fully corresponds with the "good" if we include in the "good" both physical and moral goodness.

(3) The "good," though proportional to happiness, is not necessarily proportional to happiness here below. To a large extent they must be proportional even here below, but there is no absolute correspondence between them, and to expect such a correspondence would be to take a very narrow view of the laws and resources of nature. Even in the physical world the fruits of good are not always to be reaped immediately. The reaping always follows the sowing in time. The good management of a tree is rewarded, not now when we dig it around and manure it, but later—viz., in the fruiting season. The moral good has also its natural and necessary reward, *but the fruits of our good acts cannot always mature here,* but only in another season and another place. We have already seen that nature's final end must be attainable—that it is because a tree *can* bloom, *and in order that it may* bloom, that the tree is provided by nature with certain capacities. But the attainment of this end is not possible in every season, but only at one particular season—if not in winter, then in summer. Fruition, or our final happiness, is possible also for man, but we must await the occasions and the seasons. Full fruition cannot be here below.

Putting all these propositions together we think the reader should have no difficulty in admitting Aristotle's and the

Scholastics' general proposition that happiness follows upon the good. Virtue is not the only determinant of happiness, but it is one of the two determinants, and we can say with certainty that virtue as such tends to happiness, and that in a great measure its happiness must be realised.

Happiness, then, is not to be sought in the avoidance of action—in the Nirvana, as Schopenhauer asserted, but in the pursuit of good ; nor in the labour of an uncultivated life, as Tolstoi said, but in nature at its best—*i.e.*, in the fully developed and good life.

Happiness, then, and virtue are harmonised in the conception of the good end or the natural end. Many and curious are the solutions of this problem of harmony which have been proposed by writers on Ethics. We will give a few of them, and leave them to the consideration of the reader. (1) It is said that there is in nature a *law of reciprocity* which must bring about even here below the restoration of an Ethical order which we at present miss in the world. Also (2) that a good conscience is its own reward, that the happiness it gives neutralises the pain of good action (Hartmann). (3) According to the Evolutionary school the laws of evolution make it certain that some day, even here below, virtue, and happiness must coincide, that the whole world is working out into harmony, that the pain of virtue is nothing more than the unresolved chord of our moral life. The evolutionary solution lays particular stress upon the effect of Altruism in the bringing about of moral happiness. "Altruism," writes Spencer, "of a social kind may be expected to attain a level at which it will be like parental altruism in Spontaneity, a level such that ministration to others' happiness will become a daily need." (4) Dr. Simmel ("Einleitung") suggests this method of conciliation amongst others :—Whether naturally virtue and happiness would or would not tend to coincide, we can by believing that they will harmonise actually bring about their reconciliation, just as sick people, by believing they will recover, often do recover in point of fact. (5) For theories reconciling virtue (in sense of altruism) with Happiness see Chapter on Utilitarianism (Appendix).

On the evolutionary theory of reconciliation in particular, we would make three brief suggestions :—

(1) Development, or the tendency upward to the good, if such a tendency actually exists, must make for happiness. And we are inclined to think that such a tendency does exist, that man must develop with time, consequently his happiness must increase with time. But can it on the Evolutionary hypothesis so increase as to correspond absolutely with virtue? Certainly not—in this world there will still always

remain the possibility of physical pain and its attendant sorrow.

(2) Much of the fruit of virtue is, as we saw, to be looked for in another world. Were there no other world, did the "far-off interest of tears" belong to this world only, we should have very little hope of any such "interest" ever realising itself. All the essentials of Unhappiness seem bound to remain in this world even for developed mankind, and for our part we can only diminish and restrain them. Were there no hereafter we should agree, not with Spencer's theory as given above, but with Leslie Stephen's, who writes:—"The attempt to establish an *absolute* coincidence between virtue and happiness is, in Ethics, what the attempting to square the circle or to discover perpetual motion is in geometry and Mechanics" ("Science of Ethics"). We call attention to the word *absolute* because even in this world, with all its evils, there must, as we have already seen, be a large correspondence between virtue and happiness.

(3) That inner "postulate" of each man's Reason which makes us hope for the coincidence of virtue and happiness, if it has any existence as a postulate, will be found to concern not merely their coincidence for *future generations* but for *each individual man*, whereas on the Evolutionary hypothesis only generations that are yet unborn—generations that will be born after an infinite time—will see and feel the perfect reward of good.

These three points should be attended to in criticising the Evolutionary theory on happiness and virtue.

(2) The Second Derivative Criterion—"Common Human Convictions"

We do not intend to discuss in the present chapter the "common consent" theory connected with the name of De Lamenais and others, the theory, namely, that the common human convictions are the primary criterion of morals. The theory is so absurd on the face of it that it does not require discussion. If there be such a thing as a real distinction between good and evil, and if men in general believe that certain acts are good and others evil, they must have some reason for their belief. That reason will be *our* reason also and our criterion. We now proceed to prove that although the common human convictions cannot be accepted as the fundamental and

primary criterion of morals they have real value as a derivative criterion. And their value consists in the fact that ancient and widely-spread human convictions on good and evil are as a rule based upon a certain intimacy with human nature and its needs, an intimacy which is as deep and broad as it is long-continued. Humanity, like individuals, must have its standard of good and evil, for good and evil are not always known intuitively; and that standard is nature. Mankind, with the collective wisdom and knowledge of ages, matured and seasoned as its wisdom is by experience, has seen very deeply into human nature, and its convictions about human nature have been built up through many turns and vicissitudes of human history, and they express, therefore, just what is broad and substantive in human nature—not what belongs to one time or one set of circumstances, or is accidental. These convictions are written deep down in the brain of the race. They express what man ought to be, what becomes him and will do him good; and, on the other hand, what is unsafe and unsuitable for him, and what will certainly do him harm—what is lasting, as in accordance with the abiding principles within us, and what is only caprice and fashion and dependent upon mere circumstances. The strength of this criterion, then, lies in the fulness of that knowledge which the human race has gained from its almost endless experience of human nature. And since human nature or our natural ends are the primary criterion of morals, this secondary criterion depends upon the primary. We may or may not be able to apply the primary criterion in a particular case; but, if we can find a conviction upon any point from which mankind has never receded, we may trust to that conviction as a criterion of what is natural to man and apply it as a substitute for the primary criterion. A practical example would be the ever-abiding conviction of the human race of the necessity of marriage for mankind—as opposed to promiscuous relationship.

But, reliable as this criterion is, it has not the strength

of the first of our derivative criteria, for between human convictions and nature there is no deep-set mataphysical relation such as exists between nature and the general well-being of the race. This criterion like that depending on the consequences does not belong to the same sphere of being as the action whose morality we judge by means of it. In other words, the present criterion is extrinsic.* It is clearly also subjective.

(3) The Third Derivative Criterion—"The Moral Feelings"

The last of the derivative criteria of which we shall take account is that of moral feeling, or the feeling of rightness. We shall see later on that these feelings cannot be the ultimate criterion of Ethics. Still, the moral feelings are sometimes a guide to right moral action and a criterion of the same. There are large departments of human conduct where the unsupported conscience or intellectual judgment would be slow to carry on the mass of men to action, even where action is necessary for human life; and in such cases we are often helped on by the approval of our moral feelings, which are then to some extent a criterion of good and evil. People *do* often experience these indefinable feelings, particularly when their nature is not blunted by habitual crime. Persistence in crime makes our conscience coarse and irresponsive, whereas the very suggestion of certain acts frightens good people and makes them suspicious. Hence the judgments of children on moral matters are often more reliable than those of older people, because children have no prejudices and no selfish interests. And the same is to be said of our own spontaneous feelings or our instinctive judgments about good and evil. The real objective character of an act seen in all its fulness

* If these convictions were accompanied by reasons, then these reasons would be our criterion, and we should have no need to regard the convictions of the race as themselves a criterion; but since the reasons are, as a rule, not formally given with the conviction, and since the convictions are still there to be appealed to, we have every right to call these convictions a criterion, though secondary.

and reality creates in us a first impression, a spontaneous feeling, an unreasoned judgment. The critical judgment may break up the *objective* whole, present it in a distorted form perhaps, and consequently it may not be half so true to nature as the direct impression. Hence these spontaneous feelings may serve as trustworthy criteria of good. As a rule such feelings are feelings of recoil, of disgust, of suspicion. They precede judgment, and they are quite different from the feelings that accompany or *result* from conviction and knowledge.

Still, we must be careful not to value these feelings too highly as criteria. For, first, their want of definition and their unstable character make their application as a rule uncertain. Again, these feelings often relate not to the lawfulness but rather to the indelicacy of acts. But not all acts that are indelicate or coarse are unlawful. For instance, the more delicate natures sometimes recoil from vivisection and hunting, but on æsthetic grounds only, or, at all events, on grounds other than moral. Again, these feelings are often the result of judgments already made—judgments, viz., in which the other moral criteria are applied roughly and quickly, and, therefore, these feelings, being themselves the result of moral judgments, cannot serve as the criteria on which to form our judgments. Again, where the issues are very complicated, as is often the case with questions of justice, such feelings may be the result of a certain tenderness of conscience which recoils from what approaches even remotely to sin and tends generally to be on the side which is morally safest. In these cases a man should rely as far as possible on the "sicca lux intellectus," without any reference to inner feelings of approbation or blame.

We should, therefore, be careful not to exaggerate the importance of these moral feelings as moral standards. Yet they have some value, and are sometimes a real help to us in forming our moral judgments. Men sometimes say:—"I cannot see why such an act is unlawful, but I don't like the look of it," and in many cases we may

trust such natural feelings. With these limitations we admit the feelings amongst our secondary criteria. Manifestly they can only be secondary and extrinsic, and the certainty they yield is not easily determinable—in general it is not above a high degree of probability. This criterion, like the common convictions, is, we need not say, purely subjective.

Some General Remarks on the Criteria

We have now shown that there is but one primary and fundamental moral criterion, and that there are many secondary criteria, and that the business of these latter is to help us to know good and evil when the application of the primary criterion is impossible or inconvenient.

There may be other criteria of morals besides those we have enumerated. But the certitude attaching to them, if any such exist, cannot be of a high order, and, therefore, we shall not deal with them.

It will be noticed that in our list of criteria we subscribe to a very large extent to systems that are usually regarded as quite irreconcilable. We have found a place for many points in such opposing theories, as those of Aristotle, Mill,* De Lamenais, Cumberland,† Shaftesbury,‡ Adam Smith,§ Kant,‖ and Martineau.¶ And we have done so, not through any desire to reconcile these theories, but simply because we are persuaded that there is some truth in these systems. They are all partial systems presenting to us one or more aspects of human nature. What each one of the writers mentioned regards as the fundamental criterion is, to a large extent, at

* Hedonistic Utilitarianism.

† Utilitarian Theory based on psychology of the faculties.

‡ Æsthetic Ethics—the good is the beautiful or the *orderly*. See section "III." of primary criterion.

§ Theory of Feelings as moral criterion.

‖ Act good, which is possible for all humanity. Compare first derivative criterion.

¶ Theory of hierarchy of impulses. Compare section "III." of primary criterion.

least *a* criterion. But it is not the fundamental criterion, because it does not represent what is essential in natural goodness. But it is worthy of remark that it is because there is some truth, and often a good deal of truth, in these opposing systems that there is so much agreement in the moral codes that they severally supply us with. This practical agreement amongst Ethicians, in spite of theoretical differences, is not to be explained as a result of dishonest "squaring." No doubt, there has been some unconscious forcing done, so as to get these various systems into harmony with the code that already obtains in the world. But we believe that there is a good deal of genuine truth in all of them, and our reason is that many of these criteria are to a large extent valid as standards of morality. We cannot, therefore, at all subscribe to that charge of wholesale dishonesty which we find at least insinuated in Mr. Balfour's "Foundations of Belief" *:—"This unanimity (in the moral code), familiar though it be, is," he writes, "surely very remarkable, and it is the more remarkable because the unanimity prevails only as to conclusions and is accompanied by the widest divergence of opinion with regard to the premisses on which these conclusions are supposed to be founded. Nothing but habit could blind us to the strangeness of the fact that the man who believed that morality is based on *a priori* principles and the man who believes it to be based on the commands of God, the transcendentalist, the theologian, the mystic and the evolutionist, should be pretty well at one both as to what morality teaches and as to the sentiments with which its teaching should be regarded. It is not my business in this place to examine the Philosophy of morals or to find an answer to the charge which this suspicious harmony of opinion among various schools of moralists appears to suggest—namely, that in their speculations they have taken current morality for granted, and have squared their

* Page 14 (eighth edition). We have already referred briefly to this passage in Chapter I.

proofs to their conclusions, and not their conclusions to their proofs."

This, as we have said in the opening chapter, is a serious charge, and one that ought not to be made without serious consideration. We find it hard to imagine the great leading intellects of the world lending themselves to the unprincipled method of squaring proofs and principles to conclusions—conclusions that, so far as these Ethicians are concerned, have nothing else to recommend them, Mr. Balfour tells us, than that they represent the moral code that now most widely obtains in the world. No doubt, men may be deluded into imagining here and there a connection between principle and conclusion that really does not exist. But delusion cannot be universal, and dishonest squaring is not to be thought of. Nor is there any need for suspecting either one or the other. Criteria the most divergent may be, and in fact are often, true together. Amongst our secondary or derivative criteria we have found room for widely divergent standards, for the simple reason that human nature, which is our fundamental standard of morals, is many-sided, and, therefore, can be tested in many ways. The several criteria offered by various writers as primary will be found to be false in many details, but their principal defect lies in this—that they are represented by Ethicians as fundamental criteria instead of as derivative—and the systems founded on them as adequate systems of morality instead of as parts of one whole.*

* At the conclusion of the chapter on the Moral Criteria we desire to say a word regarding a supposed criterion of morality. Some have regarded the golden mean as a criterion of morality. But it is not, we claim, a distinct criterion, and we have, therefore, deferred the treatment of it to a later chapter—that, viz., on the Virtues. The golden mean is in one sense a quality of all moral action. For all virtue lies between extremes. Justice is a mean between excess and defect in giving each his own. Temperance is a mean between over-indulgence in pleasure and a too rigid asceticism. But in these cases the mean is not a criterion of morality, because it does not tell us what acts are good or just or temperate. It supposes the moral judgment already made, for, it being once determined that a certain act is good, we can then go on to show that this act is a mean—that is, that vice lies on either side of it. It is when we have already found the right road to a

(c) Some Difficulties Against the Theory of Natural Morals Considered

(1) The theory that Nature, or natural end, is the primary standard of Morals is reviewed by Sidgwick in his "Methods of Ethics"; and we take it that the criticism that he there gives represents fairly well the mind of English Ethicians generally on this subject of Natural Morals, first, because of the weight which attaches in England to any view of Sidgwick, and, secondly, because in his attack on the theory of Natural Morals he gives prominence to the very difficulty which we should expect Englishmen to emphasise—namely, the practical difficulty in our theory of distinguishing between the natural and non-natural in human action.

The theory of Natural Morals, he tells us, presupposes design in Nature, and by Nature in the present instance he means the system of Natural human impulses. From a consideration of these natural impulses the theory of Natural Morals claims, he says, to be able to establish the various duties imposed by the moral law on men, a claim which Sidgwick regards as impossible and even contradictory. "In fact," he writes,* "those who use 'natural' as an Ethical notion do commonly suppose that by contemplating the actual play of human impulses or the physical constitution of man or his social relations we may find principles for determining positively and completely the kind of life he was designed to live. I think, however, that every attempt thus to derive 'what ought to be' from 'what is' palpably fails the moment it is freed from fundamental confusions of thought."

town that we conclude that this road is the mean, or, in other words, that to stray to either side will lead us wrong. In one sense, however, we can look on the golden mean as a criterion, but as a criterion it falls in with the primary criterion given in the present chapter—viz., the criterion of "man—an ordered hierarchy of impulses." In that sense the golden mean signifies the maintenance of organic equilibrium in man—the not allowing one part of the organism to run away with all, or unduly to obscure any other part. Not being a distinct criterion, therefore, the golden mean cannot be specially considered in the present chapter.

* "Methods," page 81.

Sidgwick then proceeds to explain further why this attempt to deduce "what ought to be" from the play of human impulses palpably fails in the theory of Natural Morals. The difficulty is twofold—(*a*) first, that when impulses are in conflict we cannot tell which impulse is natural and which is not. Some, he says, regard those impulses as natural which are common to all men—a view which appears to Sidgwick absurd since there is no evidence that "Nature abhors the exceptional." Others regard those impulses as natural which are original and underived—a position which, according to Sidgwick, seems equally irrational with the first, since there is no evidence to show that Nature "prefers the earlier in time to the later." (*b*) Secondly, the attempt to deduce "what ought to be" from the consideration of natural impulses assumes what is false—namely, that "Nature eschews as unnatural and opposed to the Divine design" all such impulses as are produced in us by the "institutions of Society or our use of human arrangements and contrivances or that result in any way from the deliberate action of our fellow-men."

Our answer to Sidgwick's difficulty will consist in showing (I.) that there is a genuine distinction between "natural" and "unnatural," a distinction which is implicitly questioned in his argument. (II.) Secondly, taking up the two express points of the difficulty given above, we shall show (*a*) that there is no *a priori* difficulty such as is conceived by Sidgwick against our distinguishing in practice between natural and unnatural impulses; and (*b*) that the unwarrantable assumption of which Sidgwick speaks, that "Nature eschews as opposed to the Divine design" all institutions of Society, &c., is quite imaginary, and is no part of the theory of Natural Morals.

(I.) Many Ethicians expressly deny what Sidgwick implicitly calls in question—namely, the existence in the Universe of any such distinction as that of "natural" and "unnatural." According to these Ethicians everything is natural, since every-

thing is both a part of Nature and brought into being by natural causes. Thus, a fallen tree is quite as natural, they contend, as a living tree; a sick animal as natural as a healthy one; an earthquake and all its evil consequences as natural as the motion of the earth on its axis; the decay of winter as natural as the growth of spring. How, then, they ask, can anything be called unnatural? Our reply is, that in one sense it is true that everything is natural since everything (speaking according to Reason) is both a part of Nature and is a result of Natural Causes. But things may be natural as being the effect of natural efficient causes, and yet be unnatural in another sense—namely, as failing to reach their final natural end or cause. For all living things have natural functions to perform, and, therefore, a natural end to which they progress, and if they fail to reach this end they have fallen short of the standard of Nature, and are to that extent unnatural. Thus, a diseased heart is unnatural, not in the sense that the disease is not due to natural efficient causes, but in the sense that a bad heart falls short of nature's standard, inasmuch as it cannot perform the natural functions of a heart. It is in this sense that we speak of "unnatural" in Ethics, and in this sense some human acts are unnatural—namely, those that fall short of the standard of Human Nature by opposing our natural end.

(II.) (*a*) Sidgwick's main difficulty, however, does not lie in the admission of a real distinction between natural and unnatural, but rather in determining which of our impulses are natural and which are unnatural. And the difficulty turns, in the first place, on the question how one is to distinguish "natural" from "unnatural," considering that even the most abnormal and exceptional of impulses may be as natural as the common and normal—"Nature does not abhor exceptions." Our answer to this first point is as follows:—We determine natural impulses in Ethics just as the

Physiologist determines natural bodily functions—that is, by inductively examining the impulses and functions and discovering what is permanent and necessary in them. The Physiologist determines the functions of the several organs by examining the organs when actually at work, and discovering their necessary and inseparable activities, and the ends of these activities. He knows, for instance, that all varieties of hearts have one action in common—namely, to send blood through veins, that all lungs inhale and exhale—and from this he concludes that such and such are the natural functions of these organs. And even though he should come across some hearts and lungs that cannot perform their proper functions he will yet have no difficulty in classing these organs as exceptions and abnormal, and as failing of their natural purpose. In the same way we determine from an empirical examination of human desires what appetites are natural and what are the objects of these appetites. And acts which oppose these natural objects we call unnatural and bad, and what promotes these objects is natural and good. A rough outline of how we may determine the natural appetites is given in the preceding chapter.*

We submit, then, that there is no *a priori* difficulty such as is contemplated by Sidgwick against singling out the natural appetites and comparing with them our individual desires, and distinguishing between what is natural and what is an exception to or in contradiction with Nature's laws. If there is no such *a priori* difficulty in Physiology there is none in morals. Again, though it is true that nature does not *prefer the earlier in time to the later,* she does prefer the original to the artificial, and our claim that certain impulses are primary and natural merely means that they are original in our constitution, just as flowering and shedding seed, though later activities in the plant, are original possibilities of the plant, and natural. The natural, even though it should manifest itself later in history, is

* Page 105.

always original in this sense. Nature, then, may not *abhor the later*, but she does abhor anything that opposes the natural purpose of our original capacities.

(*b*) As to Sidgwick's second point, our claim is that the theory of Natural Morals does not "eschew as unnatural and opposed to the Divine design" all impulses that have been produced by Society or by human arrangement. For, according to the theory of Natural Morals, not only the *Natural* but also the State law has a moral value—that is, its precepts are of moral obligation; and, therefore, the theory of Natural Morals recognises many things as good and in accordance with the original design of things which yet are wholly the result of human institution. Things are not necessarily opposed to Nature because they are not an institution of Nature, and if they are not opposed to Nature they can be morally good. These are the two main points in Sidgwick's difficulty.

Institutions of Society, we have said, may be natural in the sense of according with the laws of nature. Still, it should be remembered that even though a natural appetite might be satisfied with a certain object or end, yet it is *only what is fundamental* in the appetite that is *given* as natural. The fundamental object of hunger is food, not bread or fruit, and consequently, in the Science of Physiology, food is the only object that is *guaranteed* to be a natural object without further question. It is the same in Ethics. Just like particular kinds of food, so also the institutions of Society must be *shown* to be natural by rational proof, else we have no *guarantee* that they are good. It is through ignoring this obvious distinction that Sidgwick fell into the mistake of supposing that because in Ethics we do not mention the Social institutions as *evident* instances of Natural good that, therefore, Natural Morality eschews as unnatural all that has been brought into being by Society.

(2) A second objection to the theory of Natural Morals is that human Nature is not permanent, but is subject

to development, and, therefore, that it could not give rise to those permanent laws which are inculcated by Natural Morals.

To this objection we reply—The theory of Natural Morals does not claim that everything that belongs to man by nature is unchangeable. The theory of Natural Morals is consistent with the view that Nature may change considerably under the influence of environment—for instance, that natural organs may change. The only claim of the theory of Natural Morals in respect of permanence is that just as certain chemical elements have an unchangeable affinity for others, and just as a plant has certain permanent and unchangeable needs—for instance, the need of moisture—and animals certain permanent conscious movements to certain objects—for instance, the desire for food—so also in man there are certain permanent appetites, some of which are common to all substances, some to all animals, whilst others are proper to man himself. This claim, we think, it is scarcely possible seriously to dispute. The theory of Natural Morals does, of course, allow that many of our stable desires arise through the influence of certain artificial conditions—for instance, the desire for cooked food or for alcohol. But, then, the desire for cooked food presupposes a natural appetite for food, and the thirst for alcohol presupposes a natural appetite for drink, and without such natural appetites such of our desires as are accidental could not arise. Without them also, as Leslie Stephen testifies, the race could not survive a generation. There are, then, in man permanent natural appetites, and to that extent, at least, we are justified in assuming the permanence of nature.

(3) Another common and obvious objection is that the moral beliefs of man are variable, and that they differ with different people, whereas if Morals be natural our beliefs should be both invariable and maintained by all.

Now, this objection it is by no means easy to understand, for it does not say why, in a theory of natural

morals, beliefs should be invariable and maintained by all. If it means that on this theory beliefs are innate, and, therefore, common to all and invariable, then it assumes what is not true, for the theory of Natural Morals does not mean that we have natural innate moral beliefs, but that there exist certain natural moral laws founded on natural appetites. On the other hand, if the point of the objection is that on a question of natural law there is no room for uncertainty or error or difference of view, then the supposition is negatived by the Physical Sciences. For these deal with natural laws, and yet our knowledge of these laws is subject to variation and difference of view. In the same way, there may be differences concerning Morals, even though the Moral Law is natural. We claim, however, that on the primary Moral principles, opinions cannot and do not vary, and this claim is borne out by Anthropology, as will be shown in a later chapter.

One important modification of the present argument—that is, the argument which concerns the divergence of human opinion on moral matters—must be noticed—namely, M. Levy Bruhl's contention that that portion of the Moral Law on which all are agreed consists almost exclusively of empty formulæ without content or practical significance, whereas that in which they differ embraces the whole practical content of the Moral Law. Thus, the law or formula "neminem laede, suum cuique" was the same, according to M. Levy Bruhl, in the days of the most ancient civilisations—Egyptian, Assyrian, Babylonian—as it is to-day. But the content of that law is not the same, since the "suum" and the "neminem" vary from age to age; for, first, the rights of one time are not the rights of another, and, secondly, there was a time when some men had no rights, whereas to-day every man has rights.

Our reply is, first, that even if the content and application of the law were wholly changed, the law itself, "neminem laede suum cuique," is not an empty formula any more than the general laws of gravitation

and of electricity are empty formulæ. No law is empty merely because it is general. If the general laws were all empty formulæ there could be no science, since in the case of the deductive sciences general laws are the principles, and in the case of the inductive sciences they are the end of the reasoning process. If, therefore, the general laws are empty formulæ all science is either impossible or useless. Secondly, to a large extent these general moral laws are exactly the same now in their content and application that they always were. Thus, the "suum" of Justice has not wholly changed—for instance, from age to age and at all times the child has a right to support and training. Also, it is not true that at one time certain human beings had no rights. The "neminem" of the law of justice means now and always that "*no man's* rights can be ignored." Thirdly, it would be absurd to expect that the content of the moral laws should continue always the same, considering that the moral natural laws, and particularly the law of Justice, are subject to many varying conditions; and if varying conditions can alter the effects of the Natural laws of Physics, and, so, give these laws a new and varying content at different ages, it is to be expected that the content of the Moral laws will vary also. Again, as in Physics, so also in Ethics, the particular conclusions that flow from the general principles are such that it is not impossible men should err in their judgments about them. It is, therefore, no disproof of the theory of natural Morals that the content of the general moral laws varies to some extent with conditions of time and place.

(4) Another objection which we take from M. Levy Bruhl is that the theory of Natural Morals is only an instance of that tendency of the human mind which has been so fruitful of error in the domain of Physics, and which we may suppose must also mislead us in the case of Morals—namely, the tendency to Anthropocentrism, or the desire to regard man as the centre of the Universe and everything else in the Universe as directed to man.

"Moral Anthropocentrism," M. Levy Bruhl defines* as a "spontaneous need (of the mind) whereby we tend to arrange the facts and laws of the world around the human conscience as their centre, and to explain these facts and laws by means of conscience" instead of regarding the facts and laws of the world as the centre and the rule of action and regulating our consciences by means of them.

We reply that, as applied to the theory of Natural Morals, the expression "moral anthropocentrism" is entirely without foundation.† Anthropocentrism in Morals means that the facts and laws of life are made dependent on man. In the theory of Natural Morals, on the contrary, we claim that man is dependent on objective laws and ends, that conscience is formed by an investigation of our natural appetites and their objects, and the laws they impose, that, therefore, these laws are as independent of our consciences as the laws of medicine are independent of the medical practitioner. The natural appetites, then, are the rule of action, and they are prior to our consciences and moral beliefs. The appetites define our final end, and the final end, and not man, is the centre to which man converges and on which he depends. "Put aside," says M. Levy Bruhl, "the theory of Moral Anthropocentrism and you at once get rid of the postulate of final causes." On the contrary, we claim—Put aside the theory of Moral Anthropocentrism and you in that very act assume the existence of final causes, for if man be not the centre of the world of moral relations, the centre or point of convergence of all human activity must be in some end beyond man to which his appetites direct him. The theory of Natural Morals, then, since it admits a final natural end outside

* "La Morale et la Science de Moeurs," page 204.

† M. Levy Bruhl makes the mistake of supposing that in the theory of Natural Morals and natural law our consciences and moral beliefs are given ready-made by nature, and that we do not require to investigate in order to arrive at a knowledge of good and evil. "Ce mot (morale naturelle) signifie pour nous que toute conscience humaine reçoit par cela seul qu'elle est humaine une lumière spéciale qui lui découvre la distinction du bien et du mal" (page 200).

of and beyond man, is not a theory of "Moral Anthropocentrism."

(5) Another difficulty is that "natural morality" cannot account for differences in our individual duties. For since nature is that portion of our constitution which is common to all, pure natural morality must necessitate a code of duty which is common to all. But, it is contended, the duty of one man is not the duty of another. Duty varies with circumstances of time, place, and person; and consequently morality cannot be founded ultimately on nature or natural appetites.

Reply—Natural morality is, as we have already abundantly proved, common to all as regards a very large portion of its precepts or duties, particularly the negative precepts. But though this is true we still claim that natural morality not only is compatible with, but even necessitates differences of moral obligation depending on circumstances of time, place, person, &c. The causes of many of these differences are the following:—(*a*) Natural morality obliges to the fulfilment of certain natural appetites which are common to all; but the conditions of the fulfilment of appetites are different with different persons. (*b*) Many natural relations on which are founded natural duties are not realised in the case of all men, but only in some. (*c*) The natural law itself which, were the circumstances the same for all, would impose the same duty on all, often makes *express* provision for circumstances which, being contingent, are not the same in all. (*d*) Natural laws are often applied in circumstances which entail a conflict of duties, and in these cases duty must vary with the circumstances.

Thus (*a*) all men must satisfy their appetite for eating, but the necessary quantity and quality of food vary with the individual. Again, all men are naturally bound to avoid drunkenness, but what will intoxicate one man will not intoxicate another.

(*b*) The relations of husband to wife, of father to child, of ruler to subject, of buyer to seller, from all of which spring certain natural relations with corresponding

duties, are realised only in the case of some individuals, and hence duty is not the same in all.

(*c*) The natural law of justice "give everyone his own" makes the obvious condition "provided you are able" a proviso which gives rise to great differences in individual duty. The solvent man and the bankrupt are very differently situated in regard to the requirements of natural justice. Again, the natural law "be loyal to authority" supposes the condition "as long as authority can be maintained," an addition that may have different moral effects in time of war and in time of peace, in the case of a competent ruler and in the case of a fool.

(*d*) The natural duty of a subject to obey may often, in the case of unjust or tyrannical government, come into conflict with a man's natural right to property or with his duty towards his family, and in these cases there is room for wide differences in the resultant duty of different individuals.

In general, then, the laws of nature, though common to all, do not lead to the same duty in all. For our natural appetites, though common to all, exist and work in concrete circumstances, and the natural laws have to be applied in concrete circumstances; and, therefore, just as the requirements of the human body vary with the circumstances, though in each man the natural function of the several organs is the same, so also the moral requirements of individuals and of society may vary with individuals though our specific appetites and nature be the same.

HISTORICAL NOTE

In his lectures on Kant,* Professor Simmel has some interesting *historical* remarks on the question raised by this last difficulty—namely, the place of the individual duty in our Ethical systems. The deepest and most important problem of modern Ethics is, he tells us, that of finding

* Kant, "Sechzehn Vorlesungen gehalten an der Berliner Universität," von Georg Simmel.

an adequate formula, if formula it might be called, for the rich and varied morality of the individual life. Of modern philosophers, according to Professor Simmel, the first to lay stress on the dignity and value of individual morality was Kant, who, in his theory of the Autonomy of Reason, gave as the ultimate source of morality for each man not a common law outside of individuals but the individual conscience itself. However, he remarks that the individual of which Kant spoke in his theory of Autonomy was not the individual of the concrete world, with all its differentiating marks and habits, but the "man," the individual "humanity," "das reine Ich," which, being the same in all, gave rise to a similar law for all. Each man's *good* was, on the Kantian theory, that which *all* men could desire, and each man's *right* was that portion of the universal field of liberty which was left to each when *all* liberties were *equally* provided for. It was a theory of the absolute equality of men, a theory of Liberalism in its purest and most unmodified form.

In the individualistic philosophies of the nineteenth century which followed—those, namely, of Goethe, Schleiermacher and the Romanticists—a new and still fuller conception was given of individual law and individual ideals. To bring all individuals, these philosophers explained, under a common life-formula, to oblige them to the pursuit of a common ideal, was to attempt the impossible. For, with their different talents, needs, and opportunities, men could not in all things follow a common law or fulfil the same ideal, and to expect them to do so would mean the suppression in them of much that was good and great—namely, their individual perfections.

The Romanticist principle, then, though historically an outcome of Kant's individualism, led, according to Professor Simmel, to a very different conception of the rights and duties of individuals from that of Kant. For in the Romanticist principle provision was made for moral differences depending on individual requirements and individual talents, that is, provision was made for individual privileges, whereas Kant's theory of the equal freedom of all men excluded privilege. The one recognised the necessity of division of labour according to innate differences of talent and power, the other was a system of free and open competition among men of equal initial rights.

The individualising movement of the Romanticists reached its culminating point in Nietzsche. For Nietzsche the individual was supreme, and Society was but a means to the individual. Its one function was to bring out the highest worth of the individual personality, to make the highest exemplars sovereign in the State. But, for Nietzsche the higher Nature

consisted not in works and their effects but in the dignity of position and of political power (Rang-distanz).

These two individualising systems—that of Kant in the eighteenth century and of the Romanticists in the nineteenth—Professor Simmel distinguishes by the names "quantitative" and "qualitative" individualism. "Each emphasises," he says, "a particular ideal, and it almost seems as if the deepest life-work of this century will be the synthesis of these two."

We maintain, however, in opposition to Professor Simmel, that the synthesis of the common law of humanity with individual requirements has already been effected in the philosophy of Aristotle and Aquinas, and that the formulæ which Professor Simmel hopes to see soon synthesised—that of Kant and that of the Romanticists—are both merely one-sided exaggerations of the view we have been following in this volume, and which we have taken from Aristotle—namely, that the moral law, though grounded in nature, is yet not the same for all, since the natural functions depend largely upon individual circumstances. Still, it is as "men" that we are moral, and, therefore, the radical requirements or appetites on which morality depends, and the primary moral principles that arise out of them, must be the same for all.

(6) Finally, there is the difficulty which we can scarcely do more than notice here, that Modern Science has so enlarged and enriched our views of Nature that our theory of Natural Morals, which, it must be confessed, has come down to us comparatively unchanged from the Greek philosophers, must, like so many other ancient conceptions, be discarded as naïve and primitive and as unsuited to our present complex view of Nature, whether of the material world or of human relations. This growing complexity of our view of Nature has been described by Professor W. H. Fairbrother in "Mind" * as follows:—

"The conception of nature, however, in the mind of the modern thinker has lost the simplicity which it possessed in the early philosophy. Nature is still a cosmos, an interrelated whole; perfection is still conceived as an equilibrium produced by proper performance of function by each part, but the equilibrium is no

* N. S., Vol. 13, page 38.

longer a definite state which, once reached, is to last for ever. . . . The equilibrium is a moving one. Progress consists not only in the tendency towards a state of harmonious balance of forces, but also towards higher stages of these successive rhythmic wholes. . . . We can now see the inadequacy of the Greek conception of the Ethical problem. Man is dynamic not static," &c.

Reply.—We insist that any progress that has been made in our knowledge of the practical requirements of the several natural appetites must certainly be taken account of in the system of Natural Morals. We are not aware, however, that the new and larger views of modern philosophers on the extent and complexity of the natural relations have added much to our knowledge of the appetites and their objects, or given us ground for change in our moral beliefs. For, in the first place, most of our knowledge about nature has nothing whatsoever to do with the Ethical problem. Our newly-acquired knowledge of the chemistry of the stars has nothing to do with our theory of the "good" and of duty. For the "good" and duty have to do with *human* nature only, not with nature in general, and consequently the only study that has power to alter or determine an Ethical view is the study of *human* Nature.

And not everything in human Nature is of importance to Ethics, but only the natural *appetites*. Our view, for instance, of the good is not affected by our theory of the relation of imagination to sense or of the place of certain arteries and bones in the bodily system. And even in regard to the natural appetites themselves much of our knowledge has no bearing on Ethics. Ethics is a practical science, and, therefore, a man might obtain much speculative knowledge about the *origin* of the appetites and their relation to *knowledge*, without in the least adding to his store of Ethical knowledge, just as the new Physiology has not added to our knowledge of how to satisfy hunger, nor eradicated the old view of the necessity of eating and drinking. For its first principles

Ethics has to do with only the practical requirements of the natural appetites and with the laws of their satisfaction. But science has added little to our knowledge in these respects; the natural appetites are all strongly-marked definite inclinations, which were as well known to the ancient Greeks as they are to us, and that is why the fundamental laws of Ethics were the same in Greek Philosophy as in ours.

But to contend that in order to be able to determine morality we should first determine the totality of the relations that hold between our act and the rest of human nature, would be like maintaining that an athlete in order to run well should possess a perfect knowledge of the laws of Dynamics. Our growing knowledge of Dynamics has not made us better runners than the Greeks were. There is no *a priori* reason why every addition to our knowledge of human nature should give us a more perfect knowledge of our rights and duties.

CHAPTER VI

FREEDOM AND MORALITY

"*Ibi incipit genus moris ubi primo dominium voluntatis invenitur.*"—AQUINAS 2, dist. 21, q. 3, a. 2.

IN the course of the present chapter we shall treat of the following points:—(*a*) What is freedom? (*b*) What is the ground of freedom? or how is the will free? (*c*) Of the extent of freedom. (*d*) The consequences of freedom. (*e*) Other views of the nature of freedom.

(*a*) *What is freedom*, or, to make the question more specific still, what do we mean when we say that the will is free? The popular answer would be—the will is free when it is not determined to any one course of action, or when it is antecedently (*i.e.*, prior to its act) indifferent to many courses. And for the general purposes of Ethics such a definition might well suffice—it is certainly true so far as it goes. But the problems raised by modern Ethicians make it incumbent on us to look a little more deeply still into the meaning of freedom. In the conception of freedom there are two distinct moments or stages—one negative, the other positive. The *negative* moment is that of indeterminateness—antecedent indeterminateness of the will both from within and from without. These terms we must explain. Indeterminateness from within means that the will is not determined *by its nature* to any act. Indeterminateness from without means that *no object* outside the will compels the will. The first of these really reduces to the second, because, since the will must always wish for ends or objects beyond itself, to be determined by its own inner nature, means to be compelled by nature to

desire some known object. If, therefore, the will be determined by nature, it is the object, properly speaking, that overcomes the will, but it overcomes the will from the very nature of the will. Indeterminateness of will, therefore, means in general that it *cannot be compelled* by any object. This is negative freedom. The *positive* moment is that of self-determination or a power inherent in the will to *direct itself* to any end.

Let us take these two moments separately. *Negative* freedom means antecedent indetermination [of the will]. Any object may exert an attractive influence on the will, but none can finally overmaster the will. Between exerting an attractive influence on the will and irresistibly moving it to action there is a very great difference. Thus, I suggest to a friend to walk out into the sunshine. The prospect pleases him, attracts him; yet his will may remain quite undetermined. And it may remain undetermined as long as it itself wishes to be undetermined. The motion or determination of a will which is antecedently undetermined follows on the issuing to itself of the final *fiat,* and that *fiat* can be withheld for any length of time and against any object. The will must, of course, move to objects of some kind, but in the case of freedom it is the will itself that determines the object that is finally to prevail. Now, besides the human will there are other things also that can resist the influence of outer forces. They have what we call *inertia,* which is nothing else than the power to offer resistance to any force that results, or tends to result, in change. But there is all the difference in the world between the inertia of material bodies and the indeterminateness of the will. For, in the first place, the force that moves a body must reach a certain degree of strength before motion becomes possible, whereas any object can move the will (though not irresistibly), no matter how insignificant, provided only it rise above the threshold of our consciousness. Secondly, the force that tends to move a body, but cannot succeed in doing so, bears at least some proportion to that force which

will finally succeed in effecting the required movement. It is (and this could be said even antecedently to the effect) a third or a fourth part or some other fraction of the force that will finally be able to overcome the inertia of and move the body. It is a part, therefore, of the force that will of necessity result in action, and it has consequently only to be increased sufficiently in order to produce the required effect. In the case of the will, on the other hand, though particular motives may exert their influence, they neither move the will irresistibly to action, nor do they bear any proportion to the force that must of necessity overcome the will. They may be increased to any extent, and may still be resisted by the will. A motive and an irresistible motive are not the same. That which the will desires is always a motive urging to action. But a particular motive cannot prove irresistible to a free will. Indeterminateness, then, means that no particular object, no matter how great, can prove irresistible to the will.

The *positive* moment of freedom is that of self-determination. At first sight it would seem as if the conception of self-determination were impossible and contradictory. How, it will be asked, can the same faculty be both determiner and determined, mover and moved? Aquinas answers this difficulty by pointing out that as determiner and as determined the will relates to different objects. The will determines itself as desiring the means. It is determined in relation to the *end* only. The will moves itself to the attainment of a means because of the end which these means subserve. That end, again, is means to some other end. The series of means and ends may thus extend until we reach the final end on which, as we have seen, the will is fixed by nature, not by its own free choice. Self-determination, therefore, is not an impossible conception.

The question, therefore, arises—in what manner does the will determine itself? What is the psychological mechanism employed? The will can determine itself by determining the practical judgments of the intellect,

which in turn act upon the will and move it to action. We act, in the case of deliberate movement, only in response to the practical judgment of our own intellect telling us "this is the thing to be done." And as it is the free will that determines the intellect to elicit this judgment (how, we shall presently enquire) the free will, in determining the practical judgment of the intellect, is properly speaking, the cause also of its own act—it is self-caused,* and self-determined. "Liberum," says St. Thomas, "est id quod est causa sui." The will is free when it is the cause of its own action. This is the positive moment in the conception of freedom.

Now, some philosophers have maintained that to be antecedently determined to an action by inner nature—to be necessitated by our inner nature—is to be determined by ourselves, and, therefore, to be free. But our contention is that to be the cause of our own act—that is, to be free—and to be determined to an action by inner nature are contradictory conceptions. For a natural tendency, or a tendency that arises out of inner nature, that follows of necessity from nature, must be present in a subject from the moment that that subject begins to exist, and consequently such a tendency cannot be set up within the subject by the subject itself, or in the case of the will by the will itself, but is placed there by whatever agency produced the subject or the will, and gave to it its nature. And as no finite thing can be the cause of its own nature, so nothing can be the cause of its own natural or necessary desires. The will, therefore, is not a *causa sui* except in regard to an action which it is not naturally necessitated to perform, to the performance of which it is antecedently indifferent or *un*determined—an action, that is, which was not *given* in those conditions that immediately preceded its appearance.

To be free, then, it is not sufficient that a movement comes from within our wills or that it be psychological. *To be free a movement must be placed within the will by the agency of the will itself, and not by causes other*

* In the sense that the act of the will is caused by the will itself.

than the will. The work done by an exploding shell proceeds, indeed, from within the shell. Still, the shell is not a free agent, because the energy that it sends forth was previously "given" in its chemicals, and these chemicals were not placed there by the agency of the shell itself, but by another who made it.

Freedom, therefore, or the causation of our own act, supposes antecedent indeterminateness of the will, which excludes, first, previous determination by object, secondly, previous determination by the very nature of the will or by any quality or disposition of nature not controlled by will, both of which conditions may be expressed by saying that the sum of the existing conditions at any particular moment does not of necessity imply the action of the next. Freedom also supposes positively that the will can bring about its own states or desires independently of previous conditions.

CRITICISM OF SOME OTHER VIEWS

(*a*) Freedom is not the same as "psychologically determined action, or the power to act in accordance with the *considered* choice of ends" (Wundt). In the working out of this view Wundt maintains that in order to establish the freedom of the will (in his sense) it is enough to show that actions of the will depend not upon physiological but upon psychological conditions—that is, upon knowledge—and that consequently every *psychologically* determined action is free. But there can be acts psychologically conditioned which yet are not free—for instance, the desire for happiness. Freedom entails more than mere knowledge or will. For freedom an act must be antecedently undetermined whether from within or from without; and the will must cause its own desire.

(*b*) Freedom is not the same as "causal energy of the will" (Calderwood). For, freedom contains more than mere causation. The will could be causal without being self-caused in the sense of determining itself to its acts, just as the stone thrown at the window is causal in reference to the breaking of the glass, whilst at the same time it does not determine itself to that effect. Freedom is *self*-causation, in sense of self-determination to action.

(*c*) Neither is freedom "motiveless volition" (Hamilton), or, as Kant defines it, the "utter abnegation of every desire"—*i.e.*, of every end outside the will. No act of the will is

motiveless. Every act of the will is a desire for some end, and freedom is the capacity of the will to follow from itself alone any motive that may come before it rather than any other. To will without following some motive or object would be like walking without a direction.

(*d*) Freedom is not "the inactive influence of motives" (Reid). A motive, according to Reid, may influence the will to act but does not itself act. But, that motives are themselves active, even in cases in which we are usually accounted free, is evident from the fact that the will has often to resist the motives of action in order to set them aside. Motives or ends are the final causes of the free acts of the will. The will itself is the efficient cause.

(*e*) Freedom is not "causeless volition*" (Wundt). A free act, in sense of self-determination is caused both finally and efficiently—finally, since the will must choose from amongst the many ends or motives acting on it, and efficiently because the will is itself the efficient cause of its own act.

(*f*) Freedom is not "a purely negative contentless concept" (Hartmann), for besides the negative moment of freedom—the moment, namely, of indeterminability by particular ends—there is also the positive moment of "self-determination," the power of the will to control and rule itself, to direct itself to the pursuit of any end.

(*b*) The Ground of Freedom

The proof of freedom belongs, properly speaking, to Psychology.† We shall here adduce but one argument for freedom—namely, that argument which, besides being proof, gives also the psychological ground of freedom.

First, as regards *the negative side of freedom*. The

* Compare this with (*a*) above. Wundt argues that freedom, *in our* sense of antecedently indetermined action, is a causeless volition, and, therefore, an impossible conception. The proper sense of freedom is, he maintains, that of an act psychologically determined, in which sense it is a genuine property of will. We show above that freedom of the will is neither psychological determination nor causeless volition.

† The proof of freedom drawn from introspection can be got in any modern scholastic work on Psychology—*e.g.*, in Father Maher's "Psychology." Certain arguments to prove the freedom of the will (*e.g.*, the argument from responsibility) have been drawn from Ethics. But we shall see later that Ethics presupposes freedom of will, and it would be illogical to build a system of Ethics on the theory of freedom of the will and then deduce the freedom of the will from the Ethical system.

will is undetermined in respect of particular objects because no *particular* good can be regarded as *indispensable* to the will. The natural end of the will is the good-in-general, and that end is present to the will in every particular desire. Hence, let any particular object come up before the will as end, there are always other rival objects there, contained under this general conception of the good-in-general, and these rival objects make the original object or objects dispensable and unnecessary. Thus, to take an example of a particular object, a man may think of going into the country. He is drawn on to do so by the attractive power of fresh air, health, and amusement. Were going to the country the only idea before the will, the will should, perhaps, be overmastered and determined by that idea. But this is only one of the many goods contained under the more general end—"the good or the pleasant-in-general"—which is the proper and adequate object of the will, and which is present to the will in every act, and the possibility of following out any one of these many rival ends removes the indispensability of the original desire. Except, therefore, the infinite good there is no single object or desire which can completely overmaster the human will, and this indeterminateness is what we mean by negative freedom.

Again, the will must in every action desire the "good." It cannot wish evil or defect as such—this is its only natural limitation. Now, the only object that presents to the will no element of defect is the Infinite Good, or *bonum in universali,* and, therefore, the Infinite cannot be resisted by our wills. But every finite object embodies either what is or what the will may regard as a defect—the defect, namely, of excluding some good—and since the will can just fix the attention of the intellect upon that defect, and regard the object just in that aspect of excluding a good, it follows that a finite object may always be rejected by the will as evil. Hence no finite object can determine the will.

The positive moment of freedom has as its ground the

control by the will of the practical judgments of the intellect. The will is able to reverse or accept any of the particular practical judgments, and to determine by what judgment it itself is finally to be moved. This is positive freedom. Now, the order obtaining between intellect and will in reference to our action is, as we know from experience, the following:—(1) The formation by the intellect of a practical, which, as we have seen, is also a contingent, judgment. (2) Reflection by intellect on the contingency of this judgment and an intimation given to the will that it is good or bad to sustain and follow this judgment, or to upset it, and substitute a new judgment for it. (3) Selection by the will of one particular practical judgment at its own choice.

Let us now examine these steps in greater detail and see how they stand in relation to intellect and will. We will take our previous example—the judgment "I must go to the country." To faculties like intellect and will, that have as their constant objects being-in-general and the good-in-general, this judgment "I must go to the country" at once suggests the other—"I must not go to the country," or "I must stay at home." This is the first step in the human act. Now, neither of these two judgments—"I must go" or "I must stay"—is a necessary judgment, because in the practical sphere the only absolutely necessary judgment is "that the good is to be done," which judgment embodies as subject the "good" or the good-in-general, which is the only adequate object of the will. Since, therefore, neither of the other particular judgments—"I must go" or "I must stay"—is an adequate object for the will, the intellect is not determined by them, and remains in regard to them in a state of suspense or indifference. Now, as we know from experience, an intellectual faculty is capable of reflection, and in reflecting on these judgments the intellect must of necessity realise their contingent and unnecessary character. But to realise their contingency is to find them reversible, and, therefore, it is as reversible that these judgments are

presented to the will. This is the second step in the process of the human act. Now, the will is essentially a moving faculty, one that moves the other powers to their ends, and therefore it is that, *finding the intellect neutral, and therefore movable or determinable as regards its two judgments,* the will is able to move the intellect to the adoption of either of them according to the will's own choice. This is the third and final step in the process of freedom, the determining of the judgments whereby it is itself to be moved. And this power of determining the practical judgments of the intellect may be exercised by the human will not only in cases in which the motives happen to be equal but also in cases in which the motives are unequal. One object may be more attractive than the other, either because of more inherent goodness or because it better suits our personal character and wants. Still, there stands the will, master of the judgments of the intellect, and able to reverse them according to its own choice and to move the intellect to the acceptance of any one of them. It is in its power to determine that judgment which it is itself to follow that the will is spoken of as self-determined and free. But, as we have said, it determines itself not immediately and directly but through a practical judgment of its own selection.

The ground of freedom, then, is the relation obtaining between the universal and the particular judgments of the intellect; but an essential requisite of freedom—and what we might call the hinge of freedom—is our power of reflection on our own judgments and of realising their contingency, and it seems to us that it is upon this power to return upon, to reflect upon our own judgments (de suo judicio judicare *) that Aquinas lays most stress in his exposition and proof of freedom.†

* "De Veritate," Q. XXIV., Art. 2.

† The reader should remember that much of what we have above written on the mutual inter-relation of will and intellect is matter of ordinary experience. Experience tells us, for instance, that we are finally moved to action by the practical judgments of the intellect, and also that the will has power to influence these judgments. The further

(c) The Extent of Freedom

Before proceeding to determine the extent of freedom we must enquire—Over what faculties does the free will exercise a mastery, and how far? The question is most important for our present enquiry, and we must give at least a general answer to it. (1) The free will controls, in the first place, *all the judgments* of the intellect except such as are analytic or self-evident. It does not extend to the judgment that "the good is to be done," nor to such axiomatic judgments of the speculative intellect as that "the whole is greater than the part," that "two and two are four," or that "nothing can be a thing and its contradictory at the same time." These and such judgments control the intellect, and the will has no power to suspend our acceptance of them or to reverse them. (2) The free will to a large extent controls *attention*. There are very few things on which a man cannot at will bestow or refuse to bestow his attention, and it is by giving or refusing attention to objects that we are able to increase or to counteract their effect upon our appetites. (3) The will can control the senses, but only

question—how the will has this power and how far the power extends—can only be known through a comparison of the natural and necessary object of the will (the good-in-general) with the objects of particular judgments, as shown above.

It is interesting to compare Aquinas' view on the ground of freedom with that of recent transcendentalists. Aquinas bases the freedom of the will on the relation that subsists between will and Reason, and on the fact that Reason has as its object being-in-general and not any particular kind of being. Modern transcendentalists base freedom on the relation of the self to its desires—on the existence in man of a permanent, universal self distinct from and above particular desires (see Seth, "Ethical Principles," p. 375). On the Scholastic view the ground is Reason and will, having as objects Being and the good-in-general. On the Transcendentalist view the ground is the universal self as director and centre of all particular desires. The two most striking weaknesses in the transcendentalist theory are, first, that to transcendentalists generally the "self" is not a substance. It must then be either a faculty or simply a bundle of habits. If it is a faculty the transcendentalist theory is only a weaker form of the "Scholastic" view. If it is a bundle of habits merely or what is usually known as character, we cannot see how it is related to the particular desires as *universal* is related to particular. Secondly, if the ground of freedom is a self, distinct from our passing desires, then animals are free as well as men, since they also are selves distinct from their desires. However, a full discussion of this subject belongs not to Ethics but to Psychology.

indirectly. If the eye be open it cannot refrain from seeing. But the free will can in normal cases close the eye, and consequently control the sense. (4) The will has no power over the *vegetative* faculty. Growth and digestion are in no way dependent on a man's will, granted a sufficient supply of food and health. (5) The motor faculty is to a large extent under a man's control—how far it is not easy to say. Physiology does, indeed, distinguish between voluntary and involuntary muscles, and even attempts a physiological explanation of why some movements are subject to will and others are not by marking out a structural difference in the two classes of nerves connected with these muscles. But as yet we have had no satisfactory explanation on the point, and merely know that while some movements are capable of being controlled by will others are independent of our control. We walk, speak, and move the eyes at will. On the other hand, the heart beats independently of our wills. We can neither stop it directly nor set it on.

This is an indication in outline of the extent of the control which the will exercises over our faculties, and from it we may determine the extent of freedom. For, having proved that the will is free, it follows that it is free in its control of the faculties we have just mentioned, and that the acts of these faculties are also free, as coming under the control of the will. Freedom, therefore, extends, in the first place, to every act of will except the desire for our last end; secondly, to the acts of the other faculties in so far as they come under the control of will.

Passing from the question which faculties are and which are not under the control of a free will, and what acts may or can be free, we further ask concerning the ordinary daily exercises of our free faculties how many such exercises are free? When consciously and deliberately performed they are, of course, all free. But then we know by experience that most acts are done without much thought and deliberation, and the question, therefore, arises—Is it necessary, in order that an

act be free, that a formal and protracted deliberation precede it? We answer—for freedom it is not necessary that a formal deliberation or choice of alternatives precede our acts. It is not even necessary that the alternatives should come *distinctly* before the mind. It is enough if even the negative of the action presents itself to consciousness and in the most confused manner and momentarily. And this negative of the original judgment is suggested to us in nearly every case, and is practically always within the border-line of our consciousness. Hence those philosophers* are quite in error who maintain that most of our daily actions are not free, on the ground that they are not preceded by a lengthy or a formal deliberation, and because we do not at each moment make conscious choice between one course of action and another, and because most men allow themselves to drift—that is, to take the line of least resistance, except when there are special reasons for exercising special control. Our contention is that the ordinary acts of the day, even what are called the unthinking acts, are practically all free, because there is sufficient thought and deliberation in them to make them free. Confusion in our thought may lessen freedom. It could scarcely, except in very extreme cases, remove it altogether.

The consideration of objections to freedom properly belongs to Metaphysics or Psychology, not to Ethics. Here, however, on account of its importance in recent philosophy, we wish to touch upon just one objection—that, namely, which concerns the law of the Conservation of Energy. It is an objection that we believe is based upon a misconception, for it really tells not against freedom but against "will," and, therefore, is as much a difficulty for the Determinist as for the Libertarian. It may be stated thus:—If a man freely moves a limb, he has to expend energy in doing so. Now, just as when I strike the table with my hand, the energy that appears in the table as heat must necessarily have come from the cause of the action—my hand, so also the energy that moves the limb must come ultimately from that which causes the motion—namely, our will. The cause of the act loses

* *E. g.*, Father Maher, "Psychology."

energy, the recipient gains it. Hence, since in free acts the will is the initial cause of all, the energy of all such material acts as come under the control of free will must, in this theory of freedom, have first proceeded from the will. There is, then, a constant flow of energy from the will into the material world which is quite incompatible with the Law of Conservation—that the sum of energy in the material world is constant.

We reply—(1) The law of the Conservation of Energy is an unproved hypothesis. (2) Granted, however, that it represents an established fact, it in no way conflicts with the theory of free will. The reader will remember that we are here dealing with the question of material energy only—energy that can be transformed into motion, for that is the only energy of which the Law of Conservation can logically take cognisance. Now, where, in the theory of freedom, does this material energy come from, in the case of the moving limb? Our point is that it does not come from the will. The muscular energy that moves our limbs when acted upon by the will comes, not, as our opponents suppose, from the will, but from the limb itself, and from the body generally. When we run, it is the body that grows tired, not the will, because the body has been giving out energy, but the will has not. The energy, then, that manifests itself is the moving limb, the energy that is turned into motion must have existed previously, not in the will, but in the body, and, therefore, on our theory, the sum of material energy in the world is the same after motion as before. Our point, then, is that the will may affect the muscles without sending into them muscular energy, and they are incapable of receiving any other kind of energy than muscular. Hence the theory of Freedom does not suppose an inflow of energy from the will to the material world.

Our opponents, however, may argue—Your answer only raises an additional difficulty, for even to turn the static energy of limb or muscle into the kinetic energy of motion plainly requires an expenditure of energy in the will, and since this energy cannot be lost it must go to swell the sum of energies in the material world. *We answer*—to turn static into kinetic energy requires certainly *activity of some kind* in the will which initiates the change, but it does not require a flow of energy out of our wills into that body, the static energy of which is being turned into kinetic. If we might adopt an illustration from Physics—a stone supported above the ground possesses static energy. Remove the support, the static energy is transformed into kinetic, and the stone falls to the ground. But no new energy has been added to

the stone. So also in moving a limb the will must exercise activity of some kind—some kind, perhaps, of psychical or mental energy. But whatever may be the active process within the will, it need not in changing static into kinetic energy send energy into the muscle. In all bodily movement, therefore, the material energy of the material world is the same after movement as before. What happens within the will itself, or what this psychical energy is which enables the will to move a muscle, or whether it bears an analogy to that kind of energy which can be turned into motion, or what "expenditure" means within the will, are points that do not affect the present question, for the law of Conservation of Energy can only have reference to that material energy which can be transformed into motion, and can be measured in terms of work. The question also how the will can act on the body and direct the energies of the body—a question to which, indeed, this problem of Conservation *ultimately* leads us back—is beyond the scope of our present enquiry, and is a question for the Psychologist not for the Ethician, since it is nothing more than a particular application of the general question how the body and the soul are related in the individual. It is not proper to the narrower question of freedom. The difficulty, therefore, about Conservation comes finally to this—how soul moves body, how thought moves to act, a question which requires to be answered by Determinist as well as by Indeterminist.

(*d*) Consequence of Freedom

The formal consequence of freedom is IMPUTABILITY. Imputability means attributing something to a person or putting a thing down to a person in praise or blame. It means, therefore, ownership, causation, production of what we do, and it supposes, therefore, that man is the cause not merely of the effect of the act but of the act itself. But only the free will is the cause of its own act. A stone may cause the breaking of a window considered as an effect, but a stone cannot cause its own act—its own motion. He who directs the stone is cause both of act and (mediately also) of the effect. Anything, therefore, that is determined by nature to an end, though it may be the cause of effects produced, yet cannot be the cause of its own determination to its own act. Imputability, then, depends on freedom, and is the

formal consequence of freedom.* Consequently, if a man were determined to an action either by nature, or by some physiological cause, or by the will and intellect losing their power over the other faculties, he would not be the cause of that action, but the subject only, and the act would not be imputable to him. Hence Hamlet's protest:—

> "Was't Hamlet wronged Laertes? Never Hamlet
> If Hamlet *from himself be ta'en away*;
> And when he's not himself does wrong Laertes,
> Then Hamlet does it not, Hamlet denies it."

(*e*) Other Theories of Freedom

We may now compare our theory of freedom with two theories closely allied to and at the same time wholly distinct from ours—namely, the theories of Kant and Hegel. These theories we select because of their bearing on the Ethical question of the relation between freedom and morality to be discussed later.

(1) Kant's Theory of Freedom

We may regard Kant's initial definition of freedom as equivalent to that which is given in the Scholastic writings. "The will," Kant writes,† "is a kind of causality belonging to living beings, in so far as they are rational; and *freedom* would be this property of such causality that it can be efficient independently of foreign causes *determining* it." Here freedom is defined as self-determination of the will, and it will be remembered that this is precisely the notion of freedom which is given us by the Scholastic Ethicians, and which we have adopted as our definition of freedom in the present chapter—the will is free when it determines its own acts, its own wishes. But when we come to ask the further question what is meant by, or what are the conditions of, self-determination we find that these two theories of freedom, which

* We shall see later on that a natural title of ownership is production.

† "Metaphysic of Morals" (Abbot), page 65.

apparently include the same notions, are in reality very different from each other. It will be evident to the reader that in the theory of freedom which is advocated in this work, there is nothing to prevent even a free and self-determined will from wishing for ends or objects beyond itself, from wishing for them for their own sake, or for the pleasure of them. Self-determination, in the Scholastic sense, implies only this—that the will is the efficient cause of its own act, its own desire. But a will might be the efficient cause of its own act of willing, even though that act of willing concerned some outer object, since the will might itself have brought about its own choice of, or its own determination towards that object, and to bring about its own act is freedom. In other words, the outer object desired, the outer end for the sake of which we do a particular act, is not always the *determining* factor in choice. In willing, the will is often the determining cause of its own act, even though its act may be nothing else than the willing of some outer object. The will, therefore, may still be free even whilst it desires outer objects.

Very different is the Kantian view of freedom or self-determination. Kant recognises but one determining factor in human action—that thing, namely, *for the sake of which* we do our act. If this be some object or end outside the will, the will is determined, not by itself, but by an outer object, and, therefore, heteronomously: if it be some law or command within the will itself, some law that springs from out the will or the Practical Reason (in Kant's system these are regarded as one and the same faculty), our act is both autonomous and self-determined or free. Hence, to do an action for the sake of inner law is freedom. To do it for any outer end, or for the pleasure of any end, is physical necessity and heteronomy.

Criticism.—What, now, are we to think of this Kantian conception of freedom? To our mind it is simply false Psychology to affirm that the determining factor in action is always that thing or principle for the

sake of which we do our act. We know from experience that we often act for the sake of ends or objects which have no power to determine us; for, to determine the will is to overmaster it, and no finite end or object may overmaster a human will, unless, indeed, it be the only end or object that comes before our will.* When, therefore, a finite object draws on our wills to action, it does so because we ourselves of set purpose cut off all rival objects from the horizon of desire, and determine that this one shall remain, in which case it is the will, and not the object, that determines the course that is pursued. That thing, therefore, for the sake of which we do our act is not always the final determining cause of action, and, hence, the will may still be self-determined and free, even while we act from the motive of ends outside ourselves.

(2) The Hegelian Account of Freedom

The Hegelian account of freedom is at once a development of, and a reaction against, the Kantian theory just explained. Freedom, according to Hegel, is self-determination; and by self-determination he means doing an action for the sake of some principle which either exists in or proceeds from the will or Practical Reason itself. So far he is at one with Kant.† Now, according to Hegel, it is an undeniable fact—a fact to which Reason and experience testify in the fullest way—that a human being must wish for ends or pleasures of some sort and for their own sake—that he cannot always act for duty's sake alone; and he insists, as a consequence of this fact, that if human action is to be regarded as possessing freedom on any large scale, it must be possible in the

* In all deliberate action, at least the negative of the object comes into our consciousness.

† This view of freedom, as we have explained, is very different from the Scholastic view. But we could point to passages in Hegel which recall the Scholastic doctrine in the most unmistakable manner. Thus, he writes ("Phil. of Right" (Dyde), p. 22)—"Man is the completely undetermined and stands above impulse" (that is, the desire for external objects or pleasures), "and may fix and set it up as his. Impulse is in nature, but it depends on my will whether I establish it in the *ego*."

same act to act for duty's sake, and for the sake of objects or pleasure—to be determined by the self, and, at the same time, to be determined by the object or pleasure that is desired.* Accordingly, we find him maintaining by a variety of arguments that to be determined by the self and to be determined by objects beyond the self are one and the same thing, since the self and its objects are one. He argues, for instance, at one place, from the standpoint of Monism, that all objects are developments of the Absolute Will—that "the indeterminate condition of the will as neutral but infinite germ of all existence contains within itself its definite character and ends, and brings them forth solely out of itself †:" and, in another place, arguing from the point of view of ordinary Idealism, that the willing or knowing subject is one with its object, since object is "object" only in so far as it is known or willed. "So with the true will," he writes,‡ "that which it wills—viz., its content—is identical with it." And again,§ "Conception is the penetration of the object, which is then no longer opposed to me."

This latter point of view is, it seems to us, insisted on by Hegel, in his analysis of freedom, more than any other; and it is the only one that gets prominence in the works of the Neo-Hegelian school. Thus, Professor Caird writes:—"The opposition between the self and its objects is not real at all. Objects are such only by being objects for a self. . . . To put it more directly, their existence is not merely an existence *for* a self, but an existence *of* a self—an existence which is essentially spiritual. . . . The consciousness of a self, therefore, is necessarily a consciousness of freedom, for, just in so far as the self is presuppoed or presupposes itself

* In Hegel's system *negative* freedom is the freedom that belongs to acts that are done for duty's sake *only; positive* freedom is the freedom that belongs to any self-determined action in which some value is given to outer objects and to pleasure.

† "Phil. of Right," page 23.

‡ *Ibid.*, page 30.

§ *Ibid.*, page, 18.

as a subject in all determination of the object and of itself . . . it cannot be conscious of the object as externally determining it; and though the object-self, as one object amongst others, might be regarded as so determined, yet, in so far as it is identified with the subject itself, the external relation of determination becomes itself a vehicle for self-determination." We shall devote most of our criticism to this idealistic argument.

Criticism.—Our *first* point of criticism is that, in our belief, no amount of metaphysical jugglery will ever be able to efface the common judgment and experience of men that the thing which I think and wish is often distinct from me, and that mere thinking or willing could not possibly make such an object one with me; that, therefore, subject and object are not necessarily one. Hence, if freedom is to be made consistent with the desire for outer objects or for pleasure, their reconciliation must depend upon some other view of freedom, and of the relation of subject to object, than that advocated by Hegel. *Secondly*, it is absurd to regard the subject and object as one on the mere ground that object is object in relation to a subject, for then it would follow that the right must be the left, merely because it is right in relation to the left, and that an object which is heavier or lighter than four pounds is four pounds, simply because it is heavier or lighter in relation to four pounds—propositions, indeed, which to Hegel's mind are not at all impossible, but which, we think, could never recommend themselves to the multitude of men, or, indeed, to any man in his rational moments. *Thirdly*, we should remember that in Hegel's system freedom and morality are one thing, and, therefore, if willing a thing makes it one with the subject, it would follow that, since any object may be willed, there is no object the willing of which may not be free, and, consequently, the willing of which is not a moral act. Thus, in the Hegelian system no room is left for distinctions of good and evil—a position which is properly described as Ethical Nihilism, or the negation of all Ethics.

We may at this point sum up our own theory in opposition to that of Kant and Hegel. First, freedom means self-determination—*i.e.*, it is a property of a will which is the efficient cause of its own act, or of its own movement to certain objects. Secondly, the will may desire ends external to itself, and the pleasure of them, but that fact in no way militates against the freedom of the will, for the final cause of desire may lie outside the will, even though the will itself is the efficient cause, or is free.

The question now arises, is freedom necessary to morality—*i.e.*, to a moral system—and is it, therefore, presupposed in Ethics? This question is of prime importance and requires to be treated at some length.*

* In "Studies in Humanism," page 405, Professor Schiller makes an interesting and curious attempt to reconcile Determinism (which he regards as simply a methodological assumption, not as a principle capable of being proved) with free will, by showing that, even if we assume that the will is free, the determinist may yet maintain in every case that our act, whatever it may be, is the necessary result of the individual forces that moved us at the time of acting. This claim, he says, the believer in free will can never disprove, because after the act it is never demonstrable that any other course was possible than that which happened, and before the act the Determinist need not venture to predict. Professor Schiller's contention is not, we think, without its touch of humour.

CHAPTER VII

FREEDOM AND MORALITY
(*Continued*)

Concerning the relation of freedom to morals, we propose to discuss two questions—(*a*) is freedom necessary to morality, and is it, therefore, presupposed in the Science of Ethics? (*b*) Granted that freedom is necessary to morality, are these two conceptions identical, or is freedom only a pre-requisite of moral goodness?

(*a*) Necessity of Freedom for Morality and for the Science of Ethics

For the clear treatment of this complex and much-debated question it will be well to set out our views in a series of definite propositions. The following three will, we believe, fully represent our view:—

(1) Freedom, though not necessary to distinctions of good and evil, is necessary to the particular aspect these distinctions bear in Ethics—namely, as distinctions of moral good and evil.

(2) Freedom is necessary to moral obligation.

(3) Freedom is necessary to imputability, and is, therefore, necessary to the attendant conceptions of merit and retributive punishment.

(1) *Relation of freedom to "good" and "evil."*

We do not think we could logically maintain the necessity of freedom for mere good and evil. For there are a good and an evil for animals as well as a good and evil for men, and animals are not free. Besides, in distinguishing human good from human evil we do not necessarily take into account the freedom of our

faculties, but simply determine that certain objects are natural to our faculties and certain others are not. So we say that food is natural and good for man just as it is natural and good for a horse, and in neither case does our judgment take account of freedom. In general the good is the natural object of appetite, and in assigning that object we do not ask whether the faculty in question be free or determined. When, indeed, we have succeeded in assigning the natural object of will—that is, the Infinite Good—we may proceed then, as Aquinas does, to show that the will is free. But the "good" of the faculty is the first thing settled upon, and hence, apart from the character that it bears in morals, the determination of the "good" does not presuppose the freedom of the will. We know that drunkenness is bad because in drunkenness the natural order of the faculties is set at nought; that suicide is bad because the natural tendency of every appetite is to maintain itself in being; and that, therefore, the opposites of these—truth and the proper maintenance of the bodily life—are good. These arguments make no mention of freedom.

Freedom and Moral Distinctions.

Freedom, as we have seen, is not necessary to the conception of good and evil as such, nor to the construction of a table of good actions. But Ethics is more than a mere tabulation of value-judgments or of judgments about good and evil. It is the science of *moral* good and evil—that is, of acts of the will as *directed* by Reason to natural ends. In a previous section we proved the freedom of the will, and, therefore, we may take it for granted here that the free will must extend to a very large portion of human conduct. But human conduct is evidently subject to laws, even that portion of it which comes under human control and is free. Consequently, some science must consider it, and the science to which we hand over this department of human action is Ethics. Those elements in human action that are not free, or which do not come under the control of Reason,

are subject to other laws than those of Ethics, and they are part of another science—namely, of Physics or of Psychology. So freedom is a necessary presupposition of Ethics or of Moral Science. To put the matter technically—Ethics in its material aspect as a simple tabulation of good acts does not, as such, presuppose freedom. In its formal aspect, as a science of *acts of the will controlled* by Reason and directed by Reason to their last end, it does presuppose freedom, and it is in its formal aspect that it has a title to be considered a separate science from Psychology.*

(2) *Freedom and obligation.*

Freedom is necessary to obligation. But it is not easy to prove its necessity scientifically. To prove its necessity scientifically would mean to prove that freedom is part of the definition of obligation as "a categorical necessity of doing the good," and some might not be disposed to accept this definition as the full and adequate account of the concept of obligation. We can, however, bring out the two following points—(*a*) that if freedom be not presupposed, then "obligation" ceases to have any distinctive meaning such as mankind has always attached to it; (*b*) (a consequence of this last point) that they who deny freedom tend also to deny the reality of obligation, and to regard it as a mere subjective feeling with no corresponding objective value—with no real validity.

(*a*) There are three kinds of necessity in nature: *Physical* necessity, or the necessity of cause and effect—*e.g.*, the necessity that a stone flung from the hand

* Freedom is equally necessary for moral good and for moral evil. In "Studies in Humanism," page 400, Prof. Schiller makes the peculiar claim that freedom, though necessary for moral evil, is not necessarily presupposed in moral good. The Moralist, he says, "wants to be able to say to the bad man, you need not have become the leper you are . . . but he does not need or desire to say analogously to the good man, in spite of the deeply-ingrained goodness of your habits you are still free to do evil." This view is built upon the false assumption that Ethics is nothing more than an art of good living, that its principles are counsels and not laws, and that any consideration that does not help to make men morally better is outside the scope of Ethics. Ethics, however, as we saw, is not an art merely, but the science of human conduct.

should go forward; *metaphysical* necessity, or the necessity of essence and property—*e.g.*, that a triangle should contain two right angles; and *teleological* necessity, or the necessity of taking a definite means to an end. This last is of two kinds—*hypothetical* and *categorical*—*i.e.*, the necessity of taking the means to an end *if* we desire the end, and the necessity of taking the means to an end which we do and must * desire. Moral obligation, as will be shown in the following chapter (and this is the common though ill-defined conception of obligation), is a teleological necessity and categorical. This, even our opponents on the question of freedom themselves assume. For they attempt to account for the feeling of obligation by showing how a feeling of *categorical* necessity could arise out of the mere remembrance of hypothetical necessities, thereby conceding that the essential element in our ordinary conception of duty is that of a categorical and not a hypothetical necessity.

Let us, then, take this ordinary conception of duty as a categorical necessity and examine it in conjunction with two other propositions, neither of which will be readily denied—first, that if a man be under moral obligation at all, he is under an obligation to do the good (bonum est faciendum), that no man could be obliged to do evil; and secondly, that man is sometimes guilty of evil. Arguing from these three admissions we shall arrive at the desired conclusion. If the will be not free, then whenever a man does evil it is impossible that he should have done the good; yet, even determinists will admit that, if a man is obliged to do anything, he is certainly obliged to do the good. In what sense, then, we ask, can it be said that the man who does evil and cannot help doing it (that is the Deterministic hypothesis) is yet obliged by nature to do the good? Evidently, duty, if it exists at all in the case, must be something very different from what men have always

* "Must" physically—*i.e.*, it is something which we *cannot help* desiring. N.B.—By "physical" we do not mean "material."

understood by "duty." The following might on the Deterministic hypothesis be a possible meaning for duty:—just as a tree *must* have moisture if it is to reach its acquired perfection, so a man ought do the good now (even in the case in which he cannot do it) *if* he is to act up to the ideal of humanity. But this, we contend in reply, is not moral obligation as men have always understood it. Moral obligation in the common mind, as well as in the scientific, is an obligation to do a thing *simply* and *unconditionally*. The moral "Ought" is nothing if it is not categorical, whereas here we find the "ought" reduced to a mere hypothetical necessity, or rather to something much lower—to a sheer impossibility. Freedom, therefore, is necessary to the conception of duty, for we have now proved the proposition—"deny the freedom of the will and the 'ought' ceases to have any distinctive meaning." If duty be not categorical it is nothing. And if the will be not free, duty cannot be categorical.

(*b*) Again, Deterministic Ethics opposes, and has always opposed, the conception of obligation as a conception with an objective value—that is, as a conception with a natural title to a place in our thoughts as representative of objective things or relations. For the determinist, the notion of obligation is a purely subjective growth, a kind of epiphenomenon or bye-product from other thoughts and feelings—namely, the feelings that certain actions are to be avoided *if* we would escape punishment. These feelings, the Determinist assures us, have an objective value, for if we do not avoid the forbidden acts we shall in truth be punished. But, then, in course of time, this hypothesis "if you would escape punishment" is either forgotten or drops out of our consciousness in some way, and we are left with a feeling quite different from the first—namely, the feeling that some acts are to be avoided—without any "if." This is the feeling of duty, according to determinists. It is purely subjective. It is a part or remnant of that which was once genuinely real and true—namely, the feeling

of hypothetical necessity from which it is derived, but it itself represents nothing, just as a mutilated photograph represents nothing in the objective world. This, then, being the tendency of Deterministic Ethics, it is plain that if obligation is to have any existence as an authoritative factor in our Ethical life it must be built on Freedom.

We have no hesitation, therefore, in maintaining that Freedom is necessary to moral obligation, and that if the conception of obligation be still retained, then, upon the deterministic hypothesis, it must be a very different thing from obligation as the world has always understood it.

(3) *Freedom and Imputability.*

Freedom is also necessary to Imputability. Imputability implies, as we saw, ownership of act, and ownership means that the agent produces the act or is its cause. Now, if I be not free, then the act that is done is not, properly speaking, *my* act, for I am not its cause. The fire that burns is the cause of the ruin that it produces; but the fire is not the cause of its own action, for it does not determine itself to the act. So the man who is not free, but is determined by nature or character to an action, may be the cause of the outer effect of his action, but he cannot be the cause of his own action, and his act is not imputable to him.

And as merit and retributive punishment presuppose imputability they also demand freedom. Merit includes besides imputability the conception of a good done to another person, and Retributive Punishment the conception of an injury. But both suppose imputability or the mastery of the agent over his act—and since freedom is necessary to imputability it is necessarily supposed in merit also. We must here say a special word on the question of

Freedom and Retributive Punishment.

The question of the nature of punishment will occupy us in a future chapter—that on Sanction—but we

mention it now because of its connection with the question of the relation of Free Will to Ethics. For purposes of present discussion it will be enough to point out that there are two theories on the nature and meaning of punishment—(*a*) the theory that all punishment is emendatory and exemplary—that is, is meant merely for the improvement of the person punished and also as an example to deter others from crime; (*b*) that all punishment is primarily and essentially retributive—that is, is inflicted on account of the act that has been done, which act must be atoned for in order to satisfy the requirements of the moral order.

In the present work the view taken is that punishment is essentially and primarily retributive, and the question therefore arises—How is freedom related to retributive punishment? We answer—Free will is necessary to retributive punishment, and it is necessary for the following reason :—Punishment as retributive is inflicted on some one as cause of the crime committed. But he who is not free is not *cause* of his own act. To be cause of one's own act and to be free are one and the same thing, and they are part of the very meaning of imputability. Therefore, freedom is necessary to retributive punishment.

A brief reference at this point to two other well-known views of the relation of freedom to punishment will not be out of place.

(1) *Leslie Stephen's view.* Punishment inflicted upon something which is not the cause of evil action is unjust punishment. Therefore, that an act be punishable it should spring, not from something which passes in a moment, from something that passes with the action itself—for instance, a momentary desire, or the will's passing choice—but from something which is permanent in a man and remains after the action has been performed. But, he adds, the free choice passes, and consequently, if action be the result of free choice, it would be illogical and unethical to punish on account of it. Punishment, therefore, can only be inflicted if the

act springs out of the permanent character, and an act that springs out of the permanent character is a determined, not a free, act. And Hume writes:—"Actions are from their very nature temporary and perishing, and where they proceed not from some cause in the character and disposition of the person who performed them, they can neither redound to his honour if good nor infamy if evil." (Enquiry.)

Our reply is as follows:—We quite admit that if retributive punishment is to be rational, that inner element from which the evil act proceeds must not be something which passes away with the act, but something that persists up to the time of punishment, something that is at once the cause of the act and permanent. But we submit that that permanent something is not character, but rather the free will. For the free will realises the two conditions of punishment—it is at once the cause of the act and permanent. But the character, though it may be the cause of action, is not necessarily permanent. What is more changeable than human character? It changes under the influence of punishment itself. It changes sometimes even with the doing of the deed which sprang from it. Character is but the resultant of many deep-set, yet not necessarily permanent, tendencies; and that resultant keeps ever changing as its components change, and sometimes it is neutralised and blotted out altogether. But the free will is a permanent faculty. It is permanent because every natural appetite is permanent; and it remains with us to the end just like the faculty of feeling and knowing, or just like the soul itself. The free Will, therefore, and not character, is the right and proper recipient for punishment, and consequently determinism is not the only theory consistent with retributive punishment.

Again, as we shall see later, retributive punishment is essentially the restoration of an order violated. Now, no necessary agent could violate the order of nature, because it is itself a natural force, and, therefore, its acts are themselves part of the natural order. Hence, retri-

butive punishment, if it be inflicted at all, must be inflicted on something other than a force of nature—that is, it must be inflicted upon a free will.

(2) *Butler's theory*, briefly expressed, is that punishment is the other half of crime; * that Punishment follows as naturally upon an evil act as being hurt follows a fall,† that as the hurt follows whether the fall was free or not, so must punishment follow whether the breaking of the law was free or not.

Criticism—In one sense of the word, punishment includes all those evil effects that follow on the violation of any law. In this sense we might say that a plant is punished which is neglected and dies in consequence of its neglect. But such punishment is natural or physical in the sense of non-moral. Moral punishment is punishment inflicted for the violation of moral law, and it is with moral punishment we are concerned in the science of Ethics. As, therefore, a moral law is violated Ethically only by him who violates it freely and knowingly, so *moral* punishment implies the free violation of a moral law.

Again, Butler would not contend that an act is punishable which is done *under the impression* that it is good and moral. But to fall from a height will injure us whether it be done knowingly or not. Therefore, there can be no parity between such natural physical evils as the hurt that comes from falling and the moral evil which is at the root of retributive punishment.‡

* This theory is also taught by Kant.

† Locke gives an express denial to the theory that punishment follows as a natural consequence of the act. Speaking of the necessity of punishment for law he writes—"It would be vain for one intelligent being to set a rule to the actions of another if he had it not in his power to reward the compliance with, and punish deviation from, his rule by some *good and evil that is not the natural product and consequence of the action itself*" (Essay, Book II., Chapter 28).

‡ Perhaps an unsympathetic critic of Butler would even go farther, and say that in the cases adduced by Butler, punishment – accepting the word punishment in his sense – instead of being the natural result of the violation of law, is really inflicted for its observance. A stone cannot disobey a law. The very definition of a determined Being is that it is a creature of law. Its motion is the resultant of all the laws that affect it put together. Now, if a rock rolls down into the valley, and crushes the life out of the plants that stand in its course, they are there to meet

On the Bearing of this Question of Freedom on Human Action

We must here say a word on the *practical* bearing of the question of freedom on human action or on the *practical* defence of deterministic Ethics—a defence of which some determinists make prominent mention. Briefly, this practical defence of Deterministic Ethics may be reduced to two points—(1) "Determinism will not reasonably modify a man's view of what is right for him to do"—*i.e.*, it does not hinder our distinguishing truly between good and evil action. (2) Determinism will not weaken a man's motives for doing good.

(1) It is quite true that Determinism will not modify our view of what is good and evil. For, certain things are good and certain others are evil for determined beings as well as for free beings. Thus, food is good

their doom in obedience to law, and they are punished (in Butler's sense) for being there; and the rock itself is shivered to pieces in the depths below because it has unresistingly yielded itself up to law. If these things then be punishment, punishment is inflicted not for violation, but for observance.

Butler advances another argument in favour of the Deterministic theory of retributive punishment which requires some notice. Briefly put it is this—"If necessity destroys the injustice of murder, it will also destroy the injustice of sanction or punishment" ("Analogy," Chapter VI.). This means that if we hold that a murderer who *must* murder is not morally a sinner, and consequently is not guilty of the *injustice* of murder, we must, on the very same ground, admit that the punishment meted out to him is just—that is, that the proper ground of punishment is not Liberty, but necessity. Now, what Butler ought to have said is this—"If necessity destroy the *injustice* of murder, it will also destroy the *justice* of sanction." It should be remembered that the injustice of murder is followed not by the injustice, but by the justice, of punishment, and that a just murder is followed by unjust punishment. Because murder is unjust, therefore, the punishment that follows it is just. And hence, if necessity destroy the injustice of murder it destroys, as a matter of course, the justice of punishment. And that is exactly what we are contending for—that since Determinism removes guilt it removes also the occasion for punishment—*i.e.*, as it destroys the injustice of murder and of every other act, it destroys also the justice of punishment.

There is, however, another way of looking at Butler's argument. He may mean that just as necessity makes a subject's crime not unjust, since a man who is determined cannot help his crime, it will make punishment also not unjust (in the Ruler or him who punishes), since the Ruler who punishes a criminal cannot—on the deterministic hypothesis—help punishing, and therefore cannot be unjust. On that reading, however, though the ruler would be subjectively excused from guilt, still Punishment as an institution could have no meaning, and would be intrinsically unjust.

for plants, for animals, and for men. But, on the other hand, Determinism will modify our view of what is *morally* good and evil, or *morally* right and wrong, since, on the deterministic hypothesis, there can be no such things as *moral* good and evil. But Ethics is not concerned with the good merely, but with the *moral* good, with good action as controlled by Reason and directed by Reason to the last end. Hence determinism is not consistent with Ethical distinctions.*

(2) The second point of defence we also traverse. Determinism, in the first place, cuts the ground from under moral obligation, and the fact that we ought to do the good is no small motive for doing it. Secondly, if our actions are determined, we cannot see what rational motive a man can have for *trying* to do the good, since what a man does at any moment is, on this theory, simply *given* in the conditions of the moment before, and there is no use in his trying to do otherwise than what is "given" in these conditions. Deny it as best we may, the logical result of Determinism, *so far as human endeavour is concerned,* is fatalism.† The man who wanted to lie lazily in bed in the morning, and consoled himself that his angel guardian and Satan were fighting it out, and that he must await the issue, was a logical determinist, except that, for the Determinist, the angel guardian and Satan are not without but are within a man and part of his constitution—that is, they represent the opposing antecedent conditions within his mind.

* Prof. Rashdall ("Good and Evil," Vol. II., page 329) argues that "the difference between a crime and a disease is the same for the determinist as for the indeterminist. The difference lies just in the fact that a better will would have prevented the one, but not the other." We answer, the difference lies in this—not that a better will, but that any will, could have prevented the one, but not the other—*i.e.*, the crime is free, and is not dependent on antecedent conditions of will.

† The distinction sometimes drawn between fatalism and determinism—that the former represents man's actions as determined from without, the latter as determined largely from nature and character and efforts within—makes no practical difference in the present case. A man may know that his acts are determined by the "self within," but if he believes that the "self within" is itself antecedently determined, then he may logically say—"Whatever will be to-morrow was determined yesterday, I cannot alter that necessity."

These antecedent conditions, indeed, may be affected by a man's own conduct. But since, according to Determinists, a man's own conduct is itself antecedently determined, it follows that "what will be" is altogether in Nature's hands at each moment and not in ours, and that it was in Nature's hands from the beginning. Actions, then, on the determinist hypothesis are like a person's stature—we cannot, "by taking thought, add to our stature one cubit." Of course, it may be said by determinists that if we do not strive we shall not obtain certain ends, and that, therefore, the determinist theory affords us a just and logical ground for striving. They forget that on this theory of Determinism even the fact of our striving or not striving is "given" at each moment in the conditions of a moment before. Why, then, should we bother further about it? If these conditions be such as to make a man strive, infallibly he will strive. If they be not, he will not strive. We cannot, on the deterministic hypothesis, break the causal sequence. If this be not rank fatalism, then fatalism has no meaning.

It should be remembered, however, that our main quarrel with determinism is not its practical effect on human life, but the fact that it makes the moral good impossible, and that it removes all ground of responsibility. We can, therefore, see no logic in such language as the following, which we quote from Mr. Calderwood, who, we may remark, is himself a professed Libertarian :—* "If determinists can find their requirements met in a lofty metaphysical determinism, in which conscience is sovereign, the will absolutely good, and activity is wholly rational, and can allow that the condition of social life is such as to require and render possible individual struggle towards moral self-culture, I do not know what controversy libertarians can have with this view of Ethical life." This is, indeed, to expect a great deal from Determinism, yet, granted

* Page 203, "Ethics."

these conditions, we cannot agree with Calderwood's contention. For, on the deterministic theory, it is, as we have shown, absurd to speak of individual *struggle* to the social good. The struggle towards the social good can result only from a man's sense of the obligation to struggle towards it. But on the Deterministic hypothesis obligation is, as we saw, impossible. Therefore, between Determinism, on the one hand, and the main Ethical Conceptions on the other, there is a cleavage which nothing can overcome. These main Ethical Conceptions are *moral* good, obligation, imputability, merit, and punishment.

(*b*) Whether Freedom and Moral Goodness are Identical?

We now come to the second portion of this enquiry. We have already enquired— (*a*) Is Freedom necessary to moral Science? We now ask—(*b*) What is the relation of freedom to moral Goodness? Are they, as Kant asserts, one thing? Is the free will the morally good will, and, *vice versa,* is the morally good will the free will?* Our answer is that they are not identical; that freedom is only one of the pre-conditions of moral goodness, but that it is not moral goodness itself; that, on the contrary, a bad will is free just as a good will is free, and that, therefore, freedom and goodness are far from being convertible terms.

(1) We admit, of course, that only the good man is *fully* free. For, vice is slavery—the slavery of a man to his passions—the mastery of the flesh, and we have

* This question is important, since many modern Ethicians—for instance, Fichte and Hegel—take the identification of the two conceptions, freedom and moral goodness, as the starting points of their Ethical systems. For this assumption they are indebted to Kant. The reasons for this assumption will be more conveniently studied when treating of the Kantian theory of the Autonomy of Human Reason, to which therefore we refer our readers. Perhaps, however, it will not be out of place to refer here to one possible reason for the Kantian assumption which some authorities quote as the main reason – namely, that, according to Kant, the only freedom with which we are acquainted is freedom to do that which we are obliged to do—"I ought, therefore I can." And as we are only obliged to the good, freedom and the good are one and co-extensive in his theory.

already shown that passion diminishes freedom, and in certain cases may even destroy it altogether. The drunkard, though sufficiently free to be responsible for getting drunk, is not a perfectly free man. He is to a large extent the slave of his passion. St. Paul speaks of the "servus peccati"—and there is no doubt whatsoever that sin and the tendency to it are a bondage. On the other hand, the good man—the man who cheerfully obeys the law—is to a large extent saved from the thraldom of the passions, and is so far a freer man than others.

"Ah! Christ, if there were no hereafter,
It still were best to follow Thee;
Tears are a nobler gift than laughter,
Who wears Thy yoke alone is free."

(2) But this holds merely for freedom in the sense of its fullest possession, as implying not only the *power* of self-determination, but also the absence of strong passions and a consequent increased power of self-determination to the "good." But freedom is the power of self-determination itself, and in that sense freedom is not the same as the morally good will. For, first, the content of the two ideas is not the same. Freedom means simply self-determination or the power to cause one's own act. Moral goodness means that a man's act is in accordance with the ultimate end. Secondly, freedom is necessary not only to the morally good but also to the morally bad will. A morally bad man is not one that wishes an evil end, but one that causes his own desire for that end. The tree that fails to bloom is not morally bad, since in the circumstances it could do nothing else than fail to bloom—its failure is not due to itself. The horse that bites is not bad morally. It does not cause its own vicious desire to injure another. But a morally bad man is one who not only does evil, but does it *of himself*—who determines his own evil desire. Freedom, then, is a necessary presupposition of moral badness as well as of goodness, and hence it cannot be one with goodness.

CHAPTER VIII.

ON DUTY

(*a*) The Problem of Duty Explained

In a former chapter we established an essential distinction between good and evil acts. A man who does good acts will be accounted a good man, and a man who does evil acts is a bad man.

A further question remains to be answered. Is a man bound in any way to be a good man and to choose a good or virtuous line of conduct rather than the opposite? Is there any necessity laid on a man to be good rather than bad? To men who are not accustomed to strict scientific enquiry such a question will seem almost superfluous. They will say—"Of course, an evil action ought be avoided, and only good actions done. What else is a good action but one that ought be done?" But Ethicians know that this is a question that they must answer, and that the answer to it is neither obvious nor easy. For it is clear that besides showing that there is a natural distinction between good and evil, we must also show that men are bound to observe the distinction in their actions and to do only such acts as are good. Thus, if I tell a lie I am a liar and a bad man; but I can still ask—Why may I not be a bad man if I choose? Can I show that men are under any necessity to do good and avoid evil? Such necessity is what we understand by duty or obligation. And on our power of proving that such necessity exists will depend our power of proving the reality of duty or of obligation.

By duty, then, we understand a necessity laid on a man to do certain acts and to avoid others. Now, it is

evident that the necessity of duty cannot be a *physical* necessity—that is, a necessity which so coerces us into the following of a certain course of action that the opposite course ceases to be possible to us. A man, for instance, may be able physically to tell a lie, though, at the same time, he is under the necessity of duty not to tell it. Thus the necessity of duty is a necessity which is compatible with our physical freedom to do or not to do that which duty prescribes. In other words, the necessity of duty is a *moral necessity,* a necessity which is compatible with freedom. And the proof of duty will consist in showing that we are under a moral necessity to do certain acts which yet physically we are able to do or to avoid.

From all this it follows that duty is a necessity laid on the *will.* For, in the first place, it is a necessity which is compatible with freedom,* and freedom resides exclusively in the will. Secondly, duty is a necessity of doing certain acts and avoiding others, and hence the necessity of duty must be laid upon that faculty on which all human action depends—namely, the will. Consequently, the moral necessity which we shall have to establish in this chapter must be a necessity that primarily and essentially binds the will, and through the will the other faculties also and the whole man.

Moral Obligation or Duty, as we have just said, is a necessity to do certain actions. But every necessity depends on law of some kind. The necessity of the chemical affinities, the necessity of flowering in a plant, the necessity of eating in the case of the animal, all spring from law, proximately from some law of nature through which these necessities manifest themselves to

* That duty is laid on a free will is not the *point* of the present chapter. We wish simply to show that there is laid on the will a necessity of doing the good. But clearly this necessity, if we can succeed in establishing it, is not a physical necessity, since men, as a matter of fact, sometimes do evil, and if they were under a physical necessity of doing the good they could not do evil. In that way we claim that duty is a moral necessity or a necessity that is compatible with freedom. See also our argument in last chapter, page 192. However, our argumentation in this chapter will not relate to freedom.

us, and ultimately from that Eternal * necessary law of the Supreme Lawgiver on which the laws of Nature are founded, and which is their ultimate ground. Now, since duty is a necessity, it also ultimately rests on the Eternal Law of the Supreme Lawgiver, and hence the ultimate ground or reason why I must or am bound to do this or that good action is because such is the Eternal and necessary Law of the Supreme Being. But, as we said, the necessities of finite things, though they depend ultimately on the Supreme Lawgiver, are made manifest to us by a law of Nature herself. The plant flowers because of the nature within it. The animal must seek food because of a natural appetite for food, and so we may expect to find that the necessity of duty, if such a necessity exists at all, though resting ultimately upon God's law, without which it could not exist, will manifest itself to us in the workings of some law of nature—some law of the natural appetites. It is this law of nature which we are now about to investigate.†

(*b*) Proof that it is our Duty to do the Good

Now, duty being a necessity laid on the will, we must, before we can definitely establish the existence of moral duty, consider in what sense and how far the human will can be made subject to necessity—that is, we must determine what are the various kinds of necessity, and which, if any, of them can affect the will. Into this question Aquinas enters most fully when treating of the psychology of the will.

* A full discussion of the Eternal Law and its relation to the natural law will be found in our chapter on Law.

† This law of nature whereby we prove moral obligation will be shown later to exhibit a three-fold dependence on the Divine or Eternal law—(*a*) being a natural law it could not exist except through the Eternal law, which is its ultimate ground. (*b*) The law of nature, which supplies us with our proof of duty, not only springs ultimately, like all other natural laws, from the Eternal law, but, unlike other necessities, it arises *immediately* out of the final causal activity of the ultimate end of the will, which is the Perfect or Infinite Good. (*c*) This law itself requires to be supplemented by other truths connected with the Divine legislation—for instance, the sanctions of law, in order to give us the full conception of moral obligation and what it involves.

Aquinas distinguishes * four kinds of necessity arising from each of the four kinds of cause—the formal, the material, the efficient, and the final cause. Two of these kinds of necessity, however—those arising from the material and formal causes, that is, from the internal constituent causes of things—he groups together, and calls them natural necessities, that is, inner necessities depending solely on the inner essence or nature of things. We are then left with three distinct classes of necessity—namely, (1) the necessity of nature, (2) the necessity of efficient cause, (3) the necessity of end. (1) Absolute necessity, or the necessity of nature, is, as we said, the necessity which arises from the inner essence of a thing. For, given a certain nature, certain properties, relations, and acts *must* follow, and with absolute necessity. Examples are the necessity that a triangle should have its angles equal to two right angles, or that a material object should be capable of division, or that a compound substance be chemically alterable. The former necessity—that of the triangle—arises out of the formal cause of things; the latter from the material cause. These are internal causes of objects. Again, necessity may arise from something extrinsic to the object. (2) Thus, it may arise from some *efficient* cause or agent outside the object, as when a man is thrown to the ground by another whom he cannot resist. This Aquinas calls the necessity of *compulsion* or of *constraint*. (3) Or the extrinsic principle of necessity may be the *end* or final cause. As when a man *must* take a boat if it is his purpose to cross the ocean. To this "must" he gives the name "*final* necessity," or necessitas *finis*, or necessitas *ex fine* or *ex suppositione finis*—which latter phrases are clearer and better than "*necessitas finis*," since they clearly indicate that the necessity referred to affects, not the end itself, but the means to it, and that these means become a necessity to us only on condition of our desiring the end. They

* "S. Theol.," I., Q. LXXXII., Art. 1.

are a necessity, *on the supposition* of our desiring the end.

Now, of these three kinds of necessity, the second—that is, the necessity of constraint—is wholly foreign to the will, for the will cannot be violently compelled to an act by any agent outside itself. Acts of the will are voluntary acts; and voluntary movement and violence are diametrically opposed to one another. But the other two kinds of necessity, Aquinas shows, may and do affect the will, and hence the consideration of them is required here. We shall for convenience' sake consider, as Aquinas also does, the third kind of necessity first.

In the first place, the will is subject to that species of necessity which we have called *necessitas ex fine* or *ex suppositione finis*. For it is plain that if a man wishes an end, and if there be but one means to its attainment, then that means becomes a necessity to the will, Thus, if a man wants to cross the ocean, he *must* travel in a ship. If he wants to be learned, he *must* study. This kind of necessity holds good, however, provided only that the will truly and seriously desires the end. For if the wish of the will be only a *velleity*—that is, if the will merely would wish the end (under some supposition or condition), but does not actually wish it because that condition is not fulfilled, then no necessity arises as regards the desire of the means, for in that case the will does not really wish the end. Thus, a poor man *might* wish to see America if it were not so expensive. His wish is merely a "velleity." But such a wish involves no necessity as to the means, since *de facto* he does not will the end. But if the end be wished actually and seriously, then the means to it become a necessity to the will—I must wish to take the means if I seriously wish to gain the end. The will, then, is subject to that kind of necessity which we called *necessitas finis* or *ex fine*.

Secondly, the will is subject to the *absolute* and *natural* necessity of wishing the last end—that is, it wishes this last end in itself and cannot help wishing it. It wishes the final end from its very nature. Our proofs

of this proposition are :—First, (1) man's last end is the perfect good—the object of perfect happiness.* This the will must wish from its very nature. The will, as we said, cannot help desiring both happiness and the object of happiness or the good, in which there is nothing which it is possible for the will to resist. The will may, indeed, refuse to desire this or that particular or finite object, this or that finite pleasure, because in every finite good there is something which the will can regard as evil, and from which it can turn away. This "something" may be a positive evil, or it may be the mere absence of good—mere limitation in good; but because of this "something" there is no finite good which the will must of necessity desire. But the perfect good it cannot help desiring, for in the perfect good there is nothing from which the will can turn away. (2) Our second proof that the will must wish the last end, and cannot help wishing it, is that the will depends on and follows the intellect—we desire only that which is known, and after the manner in which a thing is known. But the speculative intellect (*e.g.*, as used in Geometry) begins its reasonings from axioms which it must accept, which it cannot help accepting, on which it is fixed by nature; no intellect can refuse to assent to these first principles, and unless it were so fixed in them it could not even begin to reason. So, also, no will can refuse its adhesion to what we might call the first principle of the will—namely, its last end. Of its nature it has to desire that end. "Finis se habet in operabilibus sicut principium in speculabilibus." (3) Thirdly, the act of the will is essentially an act of movement, of direction towards an end. But movement is impossible unless it begins in something which is firmly fixed *Omne mobile procedit ab immobili.* Consequently, our will-movements must begin with the desire of some fixed end—some end, that is, on which the will is itself naturally and permanently fixed. If there were no such

* See Chapter II. for proof that the desire for the object of happiness is prior to the appetite for happiness as a subjective state.

object or end the will could not even begin to move. There is, then, an end which the will desires, not by choice, but because it is fixed on such an end by nature. The necessity of this end is what is described by Aquinas as absolute or natural necessity. Subjectively this end is happiness; objectively it is the object of perfect happiness.

Now, just as from the desire for any end, there arises the *necessity* of taking the means which lead to it, so from the natural desire for the last end there springs the *necessity* (*necessitas ex fine*) of taking at least some of the means that lead to it—namely, those that are necessary for it, and of avoiding all those things that lead away from it. But good acts, we assume, are those that lead to the final end, bad acts lead us away from it. Therefore, just as from the desire to ride there arises the necessity for a horse, and from the desire to cross the ocean there arises the necessity of travelling in a ship, and from the desire for health there arises the necessity of avoiding certain foods—so also, from the desire for the final end, there arises the necessity of doing good and avoiding evil.

Thus far we are brought by Aquinas in his Psychology. Of moral obligation he makes no express mention in this part of his work. But it is evident that this necessity which we have just established—the necessity of wishing those things that are required for the final end—is none other than the necessity of moral obligation. For, in the first place, it is a necessity of doing the good and of avoiding evil. It is a necessity, that is, of taking the means to the final end, and, therefore, it is just precisely what St. Thomas, in his *exposé*, calls *necessitas ex fine*. Secondly, in his treatise on "Justice," Aquinas expressly identifies these conceptions of moral obligation and final necessity. Writing on the question whether Justice is a virtue,* he offers this difficulty. "That which is done from necessity is not a cause of merit. But to render to each man

* "S. Theol.," II., II.ae., Q. LVIII., Art. 3. Second objection.

his due, which is the end of justice, is necessary. Therefore, it is not a cause of merit. But acts of virtue are meritorious. Therefore, justice is not a virtue." This difficulty he answers as follows:—"To the second objection our reply is—There are two kinds of necessity—one the necessity of constraint (coactionis), and this because opposed to "will" does not admit of merit. But there is another necessity which is "*ex obligatione praecepti sive necessitate finis*"—namely, when the end of virtue cannot be gained without a certain act, &c., &c.

But, as we said, apart from this express quotation, it is evident that what we have proved to be a moral necessity laid on the will to do good, is precisely what Aquinas means by *necessitas ex fine* as expounded in the Psychology.

THE ABSOLUTE CHARACTER OF MORAL DUTY *

As yet we have not emphasised an essential characteristic of the necessity of duty—a characteristic which is all-important in connection with our present enquiry—namely, that on Aquinas' own showing the necessity of taking the means which lead to our final end is not a hypothetical or conditional, but an absolute, necessity, or, as moderns call it, a categorical necessity—in other words, that duty is categorical. The reader will already have been familiar with these terms from his studies in Logic. A hypothetical proposition is a proposition of the form—if *a* is *b*, *c* is *d*. A categorical proposition is one of the form—*c* is *d*. So also a hypothetical necessity is one that depends on an *if*—if I want *a* I must do *b*. A categorical necessity is one that depends on no *if*, no condition—I must do *b*. It is now our purpose to show that duty is an absolute or categorical necessity, that it depends on no *if*—that we must do the good, not *if* we wish to gain some end which we are able to wish or not

* The reader must be careful to distinguish between this absolute (or categorical) necessity of which Aquinas speaks and the absolute or categorical *Imperative* of Kant. The categorical Imperative of Kant is discussed and disproved in our chapter on Law.

to wish, but absolutely, and always, and in every act, without any *if*, or any qualification or condition.

Let us, in order to bring out this distinction, take a particular case of hypothetical necessity and see how it arises and how it differs from the necessity of duty. The necessity of taking a boat or a carriage can never be more than a hypothetical necessity, for it always depends upon an *if*. These things are a necessity to me *if* I desire to travel. If I do not desire to travel they are not a necessity. The necessity of the ship or carriage, then, is always hypothetical, always dependent on that *if*. Why is this? The reason is because the end—travelling—is not itself a necessary end—that is, it is not *absolutely* necessary to the will. It is not something which we have to desire by an inner necessity of our nature. Of travelling we can never say simply and universally—"the will has to wish it," since it is in my power at any moment either to desire it or not to desire it. But, suppose that there be an end which is itself *absolutely* necessary to our wills, an end which we cannot help wishing, an end on which Nature herself has permanently fixed our wills, then undoubtedly the necessity of willing the means to that end will depend on no *if*—they will be necessary to us unconditionally, absolutely, categorically.

Now, it is exactly in this way that we establish the categorical character of the moral *ought* or duty. On our final end—the object of perfect happiness—the will, as we have shown, is absolutely and permanently fixed by an irresistible law of nature herself. Consequently, the means to our final natural end are categorically necessary to us. I ought wish the means *if* I wish the end. But I *do* wish the end. Therefore, I ought wish the means (without any *if* or condition). The categorical necessity of duty, then, is established as we establish any other categorical conclusion—namely, by affirming the antecedent * of a conditional proposition.

* The other method—denying the consequent—is not applicable here.

Thus I ought wish *a* if I wish *b* to which it leads; I ought wish *b* if I wish *c* to which it leads. . . . I ought wish *y* if I wish *z* to which it leads. But I do wish *z*. Therefore, I ought (without any *if*) wish *y* and *x* and . . . *c* and *b* and *a*. It will be said that following this method a man might establish other categorical necessities besides those of duty. For instance, that—"I ought take a boat if I wish to cross to America. But I do wish to cross to America. Therefore I ought take a boat." But, as we have already pointed out, such arguments as these are only categorical in form, because the minor proposition of the inference is in reality conditional and dependent. It is not *absolutely* true. It is true only as long as my present humour lasts, and, therefore, it is true conditionally. But the desire of the ultimate end is an absolute necessity which depends on no *if* or condition, and it is the only truly unconditional desire of our will. Therefore, duty is the only necessity which is absolutely and in the fullest sense of the word categorical.

A point, too, of interest and importance in connection with the categorical necessity of duty is, that in the case of duty, the hypothetical series, out of which, as we said, we obtain our categorical conclusion, is closed (in logical terms, the minor is established) by nature and not by the individual will or intellect, for it is nature that fixes our wills on the final end, and thus by establishing the minor proposition "I do wish the end," nature has also established the categorical conclusion that I ought wish the means to it. In the fullest sense of the word, then, moral duty is natural. For not only are certain objects natural means to man's final end, but our desire of that end is natural also, and, therefore, the necessity of the means is natural.

HISTORICAL NOTE

The foregoing line of argument is followed explicitly by Taparelli and other Scholastic writers. "In order," writes Taparelli,* "to form the Judgment—the good ought to be

* "Saggio Theoretico di dritto naturale," page 55.

done—we require to realise mentally a final necessity—*i.e.*, a necessary connection of means with end, such that without the means the end cannot be obtained. But is this connection enough? What if the end be not itself necessary? Shall we then be compelled to admit an 'ought.' Study is necessary to science—but is science necessary? If it is not, in what sense can you say that study is necessary? Its necessity is merely hypothetical. But moral necessity is an *absolute* necessity; a thesis, not a hypothesis (that is, a categorical necessity, not a hypothetical). It arises from an end to which *every* will tends with real necessity. What end is that, but the object of perfect human happiness? . . . Moral obligation may therefore be defined as an *ought* resulting from the necessary connexion of means with a *necessary* end."

This, the reader will have no difficulty in seeing, corresponds exactly with the line of thought developed by ourselves above.

Father Rickaby follows the same system of proof, though, to our thinking, he does not bring it to the successful issue to which it is brought by Taparelli. "The word *ought*," he writes, "denotes a necessary bearing of means on end. To every *ought* there is a pendent *if*. The means *ought* be taken *if* the end is to be secured. Thus we say—You ought to study harder if you want to pass your examination. The person spoken to might reply—but what if I do . . . fail in my examination? He might be met with another *ought*—You *ought* not fail if you are to get your profession. Thus the train of *oughts* and *ifs* extends until we come finally to a concatenation like the following—You ought not break your word, &c., if you don't want to do violence to that nature which is yours as a reasonable being." "If," Father Rickaby continues, "a person goes on to ask—well what if I do contradict my rational self? We can only answer that he is a fool for his question."

Father Rickaby's line of proof corresponds exactly with that developed by us except for its conclusion, to the abruptness of which we venture to take exception. The question—why a man may not contradict his rational self is not, it seems to us, a foolish question. The man who asks "what if I do contradict my rational self" may be a fool indeed, not for his question, but for wishing to violate his nature. He may be a bad man also, but the question still remains, why may I not be bad? Why may I not violate my nature and be a fool? Until Father Rickaby has shown a why, he has not established the *ought* of moral obligation. But once it is shown that the final end is absolutely necessary to my will, it becomes evident that the means are necessary also.*

* See also "Du Bien," by De Lantsheere (Louvain), page 76.

Many modern philosophers, some of them far from the Scholastic tradition, have given clear expression to the view that the proof of duty (if duty exists at all, which many of them deny) lies obviously in the line of argument followed by us. But without the guiding principles of the Scholastic philosophy, it is not remarkable that they have failed to bring the argument to a successful conclusion. In this connection nobody has written more clearly or more rationally than Dr. Simmel of the University of Berlin.

"If only, "he writes,* " you can discover a final end for the will, you will have discovered that which gives to the endless teleological series meaning and content. Until you can discover that end, you can always still ask—why we ought wish this or that other end. But if you can discover the supreme end of the will, then that question has no longer any meaning." Simmel fails, however, to discover any such single final end.

Again Sidgwick writes—"It can hardly be denied that the recognition of an end as *ultimately reasonable* involves the recognition of an obligation to do such acts as most conduce to this end." But if an end ultimately reasonable involves the recognition of obligation, a fortiori, an end on which nature has so fixed the will that we cannot help wishing it, involves an obligation of doing what leads to that end.

And Ed. von Hartmann—"All such ends" (namely goods of the individual, the family, and the State) "are but means to the absolute final end of the Universe (Weltzweck); and their relative *value*, and the value-judgment that they give rise to, must be determined from their teleological relation to the final end."

And M. Fouillée, writing from the point of view of the idée-force philosophy, says † —"If life is an object of desire for men, all that tends to maintain and promote life becomes hypothetically necessary . . . These hypothetical imperatives become assertory the moment one adds—de facto man wishes to live and be happy. . . . But as for judging whether such an end is the supreme end, the supreme obligation, whether it is imposed on each man categorically, whether there is or is not a supreme principle of conduct, &c., these are the problems of first philosophy since they deal with ultimates, and they ought be reserved for philosophy properly so called." ‡

* "Einleitung," page 341. Many of the views here given are retracted by Prof. Simmel in his later works.

† "Les éléments sociologiques de la Morale," pages 21 and 22.

‡ Some philosophers regard all final necessity as of its nature hypothetical, and these are naturally debarred from following out any such line of proof as that given in the text.

(*c*) A Difficulty

Our theory of obligation raises the difficulty whether what we have said on the absolute necessity with which our wills are made to tend to the final end can be reconciled with the freedom of the will as regards the means, which, as we saw, is an indispensable condition of moral obligation. If, it may be objected, the will is fixed absolutely on the final end—that is, if it must wish this end, and cannot help wishing it, and if the intellect knows that certain acts—viz., bad acts—lead away from this end, how is it possible for the will to desire these acts, in other words, how can the will be free?

To this difficulty Aquinas offers an answer which has been described as the "one thoroughgoing refutation, perhaps, ever given of the determinism of Socrates and Plato, who reduced moral to intellectual error, and put it beyond the control of the will." Aquinas writes *:—"Whenever the will tends to act under the motive of an apprehension of reason representing to it its own proper good, a due action ensues. But when the will bursts out into action upon the apprehension of the sensible apprehensive faculty, or even upon the apprehension of reason itself,† representing some other good than the proper good of the will, there ensues in the action of the will a moral fault. Therefore, any faulty action in the will is preceded by a lack of due regard to reason and to the proper end of willing. I say 'a lack of due regard to reason' in such cases, as when upon some sudden apprehension of sense the will tends to some good that is pleasant, according to sense; I say 'a lack of due regard to the proper end of willing' in cases when the reason arrives by reasoning at some good which is not either *now* or *in this way* good, and still the will tends to it as though it were its proper good. Now, this lack of due regard is voluntary: for it is in the power of the

* "Summa Contra Gentiles," Book III., Chapter X. (Rickaby's transl.).

† Here Aquinas is in direct opposition to the Kantian theory that all evil is due to sense-desire.

will to will and not to will: it is likewise in its power to direct reason actually to consider or to cease from considering, or to consider this or that. Still, this failure of due consideration is not a moral evil: for, consideration or no consideration, or whatever the consideration be on reason's part, there is no sin until the will comes to tend to some undue end, which then is an act of evil."

In other words, the will cannot wish evil for its own sake. But even in every evil act there is some good; and the will can make the reason consider this element of good, and can turn the reason away from what is evil in the act; and so it becomes possible for us to desire the evil act through not actually considering the evil which it contains. But inasmuch as this turning away of the reason from the evil of the act *is itself free* and voluntary, and inasmuch as we *do not cease to be aware of the evil* of our act, even when we have refused actually to consider the evil of it, the whole act that we do—evil and good—is free and imputable to us. Now, this turning away of the mind from a particular element in our act in order to make an act possible, which otherwise would be impossible, is not a difficult thing, and it is often resorted to in the case of actions that have a double effect—one agreeable to us and one disagreeable, particularly when the attractive power of the one effect and the repelling power of the other are in or about equal. Thus the man who could not possibly kill his father as long as he *realises* that he is killing a parent, will consciously and freely turn his mind from the actual consideration of this fact, and fix his attention on some wrong done him by his parent or the good to be gained by his act, in order to make the murder possible. The criminal's unwillingness to face a premeditated crime when it appears before him revealed in its full wickedness, is neither uncommon nor unnatural. This voice of nature speaks eloquently in the soul of Lady Macbeth, when she prays the night to hide from her the full evil of her terrible deed; for she fears that even when "top

full of direst cruelty" she still needs something to conceal from her the character of her own act.

> Come, thick night,
> And pall thee in the dunnest smoke of hell
> That my keen knife see not the wound it makes
> Nor heaven peep through the blanket of the dark
> To cry—hold, hold!

From these illustrations we can understand how, though the will *must* wish the "good," it can yet do evil deeds, and be responsible for the evil of them. It can *do* evil deeds, because "it is in the power of the will to direct the reason actually *to consider or cease from considering,*" and it is *responsible* for its evil deeds because "this lack of due regard is voluntary."

(*d*) Corollaries

(1) There is no force in the suggestion of Sidgwick that, unless a man finds in his consciousness this categorical imperative, it is impossible to bring home this idea, either by proving the existence of duty or in any other way. "I am aware," he writes (Book I., Chap. 3), "that some persons will be disposed to answer all the preceding argument by a simple denial that they can find in their consciousness any such unconditional or categorical imperative as I have been trying to exhibit. If this is really the final result of self-examination in any case, there is no more to be said. I, at least, do not know how to impart the notion of moral obligation to anyone who is entirely devoid of it." *

Sidgwick's admission—"I, at least," &c.—we regard as equivalent to the suggestion that no argument could possibly bring home the idea of moral obligation to one who has not already that idea in his mind—a position which practically amounts to contending that the idea of moral obligation, if it exists at all, must be innate.

* Prof. Paulsen also maintains that we cannot disprove Ethical Nihilism—that is, that if a man declares that he cannot find in his consciousness any such sentiment as that of duty or moral wrong, it would be impossible to prove to him that these things are existent realities ("System of Ethics," page 374).

Now, this position is untenable. For no argument is vitiated merely because its conclusion tells us something which we do not already find in our consciousness. The principle would be absurd. For instance, could we hold that, unless a man finds in his mind the idea of the dark rays of the spectrum, he is free to reject the proof by which the existence of these rays is established? That a proof of their existence should be necessary is itself a proof that at some time men must have been without the idea of them, and we have already shown that a proof of Duty is also necessary.

(2) Our second corollary is that *moral duty is essentially dependent upon God, and could not exist without Him*. For (*a*) Duty, as we saw, depends on two necessities, both relating to the last end—namely, the necessity which directs the will absolutely and irresistibly to the last end, and the necessity of certain means to this last end. But God is our last end, as has been proved already. Therefore, duty is essentially dependent on God. We must, therefore, reject the theory of Independent Duty, which holds that duty has no ultimate relation to and dependence on God. (*b*) Again, the natural law cannot be self-sustaining, since, like the finite things in which it is, and which it directs, it is itself finite and dependent. Hence the natural law of doing moral good depends intrinsically on that higher law of God from which all other law proceeds—namely, the Eternal law, the law existing within the Divine Intellect. This Eternal law is, as we shall show in a later chapter, the necessary law of God's own nature, and is, in fact, one with His nature. (*c*) God cannot but bind His creatures to the following of His law, and hence, in violating the natural law of doing the Good, we are violating His precept and offending against His Majesty. It is this personal reference to the Divine Majesty (which, it should be remembered, attaches to the conception of duty not accidentally but necessarily and essentially) that lends to duty that sense of personal compelling power and of Sanctity which are so insepar-

able from it. But the conception of Duty has a wider and a fuller content still than that of Majesty offended, as we shall now see. (*d*) The question "why ought I do the good" may be understood in a two-fold way. First, there is the Ethician's question—What are your proofs of duty? How am I necessitated in any way to do the good and avoid evil when I know that it is in my power to do either at my own will? This question has been answered in what precedes. Secondly, there is the plain man's question—What if I do violate duty? What *then?* For the plain man the question of consequences is all in all. For the Ethician, if he is sensible, it is a great deal. This second question we can only answer by pointing out, as before, that if we transgress the natural law of doing the good, we violate the Divine Eternal law, and that the Divine Majesty must punish us for its violation. For it cannot be the same *to* the Divine Majesty whether we regard or disregard the Divine Law, and, therefore, it cannot be the same *with* us whether we have observed or violated it. Every legislator must vindicate his law, and none the less so when the interests which it involves are eternal. We should also remark that it would not be right to regard these consequences as accidental merely, or extrinsic to duty. They are essential and spring from its very nature. From this aspect of the consequences of duty, or of the pain that attends upon its conscious violation, spring both the fear of evil and the mind to do good, and we should be wanting in our duty as Ethicians, as well as misleading in our teaching, were we to fail to take account of it. The conception, therefore, of "independent duty" cannot be accepted either as true or as an adequate account of duty.

(*e*) Some other Theories of Duty

We will now consider other theories on duty—its meaning and its ground. We will take up these theories not in the order of their popularity, but in the more logical order of the degree in which they depart

from that objective character of the ground and proof of duty which we have established in the foregoing pages—that is to say, we shall take them in a descending scale of objectivity.

(1) *Theory that Duty is a "willing the totality of ends."*

This theory is widely taught amongst certain schools of modern Ethicians, yet in forms that vary so much that a common expression for them is not easy to find.

We shall, therefore, take one form—that of Dr. Lipps in "Die Ethischen Grundfragen." "The consciousness of moral duty is nothing else," he writes, "than . . . the consciousness of the pure, all-sided, objectively-conditioned will."* This "all-sided, objectively-conditioned will" he explains as a will to which nothing is wanting which has a significance for human valuing and willing. In other words, it is a will that possesses all that any man can set a value on—a will that possesses the totality of human ends, so that the man of duty can truly say "alle möglichen menschlichen Zwecke sind in mir"—"all possible (human) ends are mine."

Criticism—In the first place, it might be thought that this theory is rather a theory of the content of duty than a theory of duty itself, that it tells us rather *what* we ought desire than what is meant by *ought* and in what the *ought* is grounded. But this, though part of Dr. Lipps' teaching, is not his whole theory, for the view just quoted, that the content of duty includes the totality of ends, implies another and more fundamental theory which has gained a wide acceptance amongst modern Ethicians—the theory, namely, that the ground of duty or moral necessity is to be found in the *necessity* which compels the will to choose out its objects from amongst the totality of ends, which, therefore, is to be regarded as the adequate and all-inclusive object of the will. The will *must* choose amongst the totality of ends. This "must," we are told, is duty.

* "Die Ethischen Grundfragen," page 129.

But this theory of Dr. Lipps is false in both conceptions—(*a*) that of the content of duty, and (*b*) that of its grounds. (*a*) The content of duty cannot be the totality of ends, since there are some ends which not only are not a part of our duty but which it is our duty to avoid. These are bad ends which no man may seek. Again, some ends are possible to some men and are their duty, whilst they are impossible to others, and therefore cannot be their duty. Thus the ends of a subject are not those of a ruler. The ends of a father and husband are not those of the son. The father must seek the means of sustenance for his family. Young children cannot do so. Some ends, again, are possible to all, but they are not the duty of any. Thus, though every man is bound to eat, no man is bound to eat this food or that. Our duty extends to necessities merely. Hence the content of duty is not the totality of ends.

(*b*) Neither is the totality of ends the ground of duty. For duty is the necessity of seeking good ends *only* and of avoiding evil ends. But the necessity of choosing our objects from out of the totality of ends is not a necessity of doing the good, but of seeking out any object *good or bad*, provided only it be included in the totality of ends. The necessity, therefore, which the totality of ends imposes on the will cannot be the ground of duty.

Again, the totality of ends cannot be the ground of duty, because the necessity which it imposes is a *physical* necessity. The will cannot help making choice of some part of the totality of ends. But duty is a moral necessity—the necessity, namely, of choosing something which, yet, we are physically able either to desire or not to desire.

To some extent, however, Dr. Lipps' theory presents an analogy to that which we have adopted from Aquinas—that the end of man is the perfect good. For since duty is grounded in our wish for the perfect good, and since in the perfect good is contained all possible good, therefore, duty might be described as the necessity of doing that which will lead to the totality of all ends.

But still our theory could not be confounded with the theory defended by Dr. Lipps.* For duty in our theory is the necessity of desiring not the final end but the *means* that lead to it, whereas the analogy referred to lies between the totality of ends and the final end itself. Again, duty in Aquinas' theory extends only to such means as are *necessary* to our final end. It does not extend to the totality of ends. In Dr. Lipps' theory it extends to the totality of ends. Again, duty in our theory is grounded on the necessity with which the will desires not all ends, but only the final end, in which end is contained *virtualiter et eminenter* all that any being can desire. In Dr. Lipps' theory duty is grounded in the totality of *actual* ends.

To our argument that in Dr. Lipps' theory every action should be accounted good, and that hence his theory cannot be regarded as a proper Ethical account of duty, there is one possible reply. In the chapter of the "Ethischen Grundfragen" which precedes that on Duty, Dr. Lipps speaks of the good desire as that which belongs not to man as an individual but to man *as man*. Therefore, it may be said that by "willing the totality of all men's desires" is only meant the willing of those things which all men desire not as individuals but as men; in other words, those things which all men desire in common. But this interpretation only widens the breach between Dr. Lipps' theory and ours. For it excludes from the content of duty many ends which are proper to certain men and which it is their bounden duty to attain. If, then, by "alle möglichen Menschlichen Zwecke" we are to understand all human desires, we put upon the individual duties which certainly do not belong to him. If by it is meant the ends which all men seek in common, we exclude duties which certainly are

* The reader can also trace analogies between the theory of M. Guyau, to be described later, and that of Aquinas on the nature of obligation. We do not know of any theory of duty (except the positivistic theory, which is simply a denial of duty) which might not be described as in some way a reflection of one point or another in Aquinas' exposition.

binding on individual men. The theory, therefore, of duty as the totality of human ends is untrue in any case.

(2) *The disjunctive theory.*

We have seen that duty is the *categorical* necessity of taking such means as are necessary for the attaining of the final end. Professor Meyer, on the contrary, in his "Grundsatze," gives expression to the peculiar theory that duty is a disjunctive, not a categorical necessity, that its formula is *either—or* (entweder-oder), meaning that a man must *either* do certain actions *or* bear the consequences in the way of punishment—either do the right or suffer the punishment of wrong-doing.

Criticism—Now, this theory contradicts the most essential element in moral duty—namely, its absolute or categorical nature. My duty towards the truth is not expressed in the formula—"Either tell it or suffer." My duty is simply and solely to tell the truth, for this is the only alternative that fulfils the law. The other alternative—that is, the undergoing of punishment—not only does not fulfil the law but actually presupposes that the law has been already broken. But that which presupposes duty violated cannot be regarded as a fulfilment of duty. Hence duty is not the fulfilment of either alternative, but of one only. I fulfil the law only when I observe it, not when I undergo punishment for not observing it. Duty, therefore, is not a disjunctive necessity.

(3) *Theory of Psychological Intuitionism.*

Psychological Intuitionism means that we believe duty to be a reality because, on examining our own selves, we find that there is within us something which corresponds to our notion of duty, or is an indication of its presence—namely, a natural submission to law, a shrinking before law, a natural hurrying away from certain deeds as from things that a man should avoid, and a natural going out to others as to things a man ought to do; with feelings in the one case of aversion,

and in the other of approbation. Now, these phenomena, we are told, are nothing more than the effects and signs of duty, things inexplicable save as the natural accompaniments of duty, and through them we have an *immediate* knowledge of ourselves as subject to duty.

Intuitionism is the theory of Butler, Kant, Fichte, and Schelling. We should, however, explain that Kant, Fichte, and Schelling, besides professing to possess an immediate introspective intuition of duty and law, claim in addition that for purposes of science it is necessary to deduce the existence of duty from some deeper metaphysical ground, like the *ego* or the *will*—otherwise it could not be regarded as a scientific fact or a fact of philosophy. They nevertheless admit that the introspective act comes first, that even before a man attempts the deduction of duty he has but to turn his mind in on himself in order to find duty asserting itself within his mind, and claiming from him notice and assent. Psychologically, according to these philosophers, duty is self-evident; but as scientific men they claim that we must seek to ground duty upon a deeper metaphysical basis than mere intuition. The only question, however, that now concerns us is whether mere psychological intuition is a sufficient ground for our believing in the existence of duty.

One or two expressions of this theory will help to make it clear. But before quoting them we should remark that to the Psychological Intuitionists the problem of the existence of duty is not a different problem from that of the existence of a conscience or a moral nature in man. Their claim is that if they can discover that man is naturally directed by a moral conscience, they shall have proved that man is also subject to duty, which is submission to conscience. Hence, in these passages that follow, any reference to conscience or a moral nature may always be regarded as including a reference to duty.

"Every man," writes Kant, "has a conscience and finds himself observed by an inward judge, which threatens and keeps him in awe; and this power . . .

follows him like a shadow when he thinks to escape. He may, indeed, stupify himself with pleasures and distractions, but cannot avoid now and then coming to himself or awaking, and then he at once perceives its awful voice. . . . This original intellectual and (as a conception of duty) moral capacity called conscience has this peculiarity in it that although its business is a business of man with himself, yet he finds himself compelled by his reason to transact it as if at the command of another person."

Fichte writes:—"When that *impulsion* (namely, our moral nature impelling us to certain acts) is discovered by him (*i.e.*, any man) in his self-observation as a fact, and it certainly is assumed that each rational being will thus discover it, if he but closely observe himself, man may simply accept it as such fact . . . without enquiring from what grounds it becomes thus. Perhaps he may fully resolve to place unconditioned faith in the requirements of that compulsion." *

The following brief and clear statement of the theory taken from a French writer † will be useful:—"Il y a d'abord l'évidence intérieure, l'oracle de la Conscience, qui n'admet pas de réplique ni d'hésitation; nous sentons le devoir parler en nous comme avec une voix nous croyons au devoir comme à quelque chose qui vit, qui palpite en nous, comme à une partie de nousmêmes bien plus comme à ce qu'il y a en nous de meilleur."

Criticism—We shall discuss two questions:—

(1) Are there such moral impulses or such voices in man as those referred to by the Psychological Intuitionists?

(2) Even if there are, what is their binding force?

(1) I cannot find in my own mind any trace of these impulses or of a voice commanding me to do certain actions such as that of which those Intuitionists speak. I find within myself a reasoned judgment that I ought

* "Science of Ethics," page 17.

† Guyau's "Esquisse d'une Morale," &c., page 66. Guyau's own theory on morals will be given presently.

to do certain acts, and that reasoned judgment naturally impels me to those actions just as the judgment that I ought to save up money if I want to be secure in my old age impels me to save money. But this is very far indeed from the impulses and the voice spoken of by the Psychological Intuitionists. For (*a*) the voice of Conscience is described by many of these Philosophers as a voice naturally *superior* to me and *commanding* me through a part of me and within me. But the reasoned judgment which I find within my own mind and which is the only trace I can find of a voice of duty is *my own* judgment, elicited by myself, and, therefore, not superior to me. (*b*) Also the impulse of duty spoken of by the Psychological Intuitionists is an impulse which is born with us and arises out of the very nature of man, whereas the impulse of duty which I am conscious of is nothing more than an acquired rational conviction, not innate in any sense, but the product partly of instruction and partly of our own personal reasoning. (*c*) Again, these impulses and voices described by the Psychological Intuitionists are *unlike* anything else in our mental life, they are sui generis, different from our reason itself, whereas the conviction of duty that we are conscious of is a common judgment, and as a mental act it is similar to a thousand other judgments, and different only from them in the subject-matter to which they severally refer. (*d*) Again, according to the Psychological Intuitionists, to violate duty is to offend against an *inner* tribunal, to which I am responsible and of which I am afraid. But my consciousness reveals to me no such *inner* tribunal and no sense of responsibility to it or of fear of its judgments. When I violate duty I know that I have violated the law of a legislator who is *outside* me and to whom I shall have to render an account of my action. We cannot, therefore, accept this theory that our intuitive consciousness makes duty known to us immediately and directly and without reasoning of any sort in the same way that we become aware of our ordinary acts of thinking, feeling, speaking.

We should, however, warn the reader that when we call in question the existence of any such inner voice of duty as that spoken of by the Intuitionists, it is no part of our theory to deny Conscience itself or the fact that Conscience is the Voice of God in the sense of truly representing His Law and Will in our regard. What we deny is the existence of an inner voice distinct from our own judgments and superior to ourselves, yet part of us and claiming submission from us on its own account, and not as merely representing the law of a Personal Divinity outside of and above us. With this understanding we go on to our second point, which is as follows:—

(2) Even if there were in man a voice, a feeling, an impulsion such as the Intuitionists describe, urging him to shrink, to bend before an inner tribunal, would man be bound to shrink before such a voice or feeling? Is he bound to acknowledge in any way the binding force of those inner feelings? In other words, are those feelings a legitimate and valid authority? Why should we submit to their guidance? Our reply is that even if we admit their existence there is nothing—either fact of sense or analytic truth—to inform us of the authority of these voices and feelings. Feelings, inner voices, and such things can rarely if ever be accepted as guides to truth, and the voice that announces itself as the Voice of God within us is not likely to be a better guide than any other inner voice or feeling. We have, therefore, as already explained, a right to ask—Whence is this voice? What guarantee has it that it is what it declares itself to be? How does it justify its claims?

These questions some Psychological Ethicians regard as unholy. "I would not," writes Herbart,* "profane the sacred Temple of the Practical Reason by asking authorisation from the 'Sittliche Ideen' (the Moral Ideas) dwelling therein." And Beneke † claims that we cannot call in question the "note of necessity" that

* "Allgemeine Practische Philosophie" (chap. I.).
† "Grundlinien."

accompanies the good act—it belongs to the "deepest ground-nature of the human soul."

Such fears and such exaggerated reverence will not provide this inner tribunal with the credentials or proofs of its authority which no tribunal can afford to dispense with. For if the inner tribunal of law and duty of which these philosophers speak has real authority over us it ought be able to justify its authority. If it refuses to do so it is plain that it has no authority—that it is nothing more than mere subjective fancy. It is then a fair target for the jest of P. Rée,* who, in attacking Conscience theories in general, has chiefly before his mind's eye a sort of Conscience like that of the Psychological Intuitionists. He amusingly compares Conscience to Lohengrin, and describes it as remaining only as long as we ask not whence it is, but flying when we ask that question.

We cannot, then, accept the theory that duty is revealed to us in our inner consciousness intuitively. We know it as we know other intellectual truths—by reasoning and instruction.†

(4) *Positivistic theory of duty*

Moral Positivitism has many forms, all of which have this common element, that they regard Duty as nothing more than a subjective feeling, which corresponds to

* "Entstehung des Gewissens," page 229.

† We have not space in these pages to notice at any length a recent modification of the Psychological Intuitionist Theory known as "Morale Criticiste" or "Phenomenal Criticism" or "Morale de la foi," which has been developed by certain members of the Neo-Kantian school, notably M. Renouvier and M. Secretan, and which tends more even than the theory we have just criticised to exclude the possibility of a Science of Ethics.

The principal points in these Neo-Kantian theories, which differ a good deal from one another (an account of some of them is to be found in M. Guyau's "Esquisse d'une Morale sans obligation," page 62, and in M. Fouillée's "Critique des Systèmes de Morale Contemporains," page 75), is that duty is to be regarded as belonging solely to the phenomenal world; that duty is a simple and irreducible phenomenon; that we believe in it *because it is our duty to believe in it*, and that, so, duty does not need to be established by proofs; that we believe on faith; that, in fact, the Speculative Reason is not prior to nor the test of our beliefs; on the contrary, that "belief" is prior to "proof" and morals prior to Speculative Science. This theory is an evident development of the Kantian Ethic.

nothing in the objective world. Our sense of duty, this theory explains, is merely an illusion, which has been brought about in our minds by those most fruitful sources of error and illusion—the laws of Association. How the feeling of duty arises under the influence of these laws is explained by the Positivists as follows:—Duty is simply a feeling that something is necessary or ought be done. This feeling of duty originated in the feeling of external constraint connected with certain acts—those acts, namely, which were once enforced by tribal laws or laws of State, and the violation of which was accompanied by punishment, and therefore by pain. The *necessity* of doing such acts was a hypothetical or disjunctive necessity—the necessity, namely, *either* of obeying *or* of undergoing punishment, which, according to the Positivists, is the only original kind of necessity attaching to action.

Gradually, however, they explain, this hypothetical necessity became changed into categorical necessity. The "or undergo punishment" disappeared from memory; and from the feeling that acts should be done in order to avoid punishment men's minds passed, under the influence of the laws of association, to neglect the condition or the disjunction, and to regard these same acts as necessary in themselves—as things that should be done on their own account. This feeling that acts are necessary categorically and on their own account is, it is explained, our feeling of moral duty.

Thus, Spencer writes * :—"Thinking of the extrinsic effects of a forbidden act (that is, the punishment imposed by positive laws) excites a *dread* which continues present while the intrinsic effects of the act (that is, the natural effects of the act itself) are thought of, and being thus linked with the intrinsic effects causes a vague sense of moral compulsion."

* "Data of Ethics," page 127. Spencer also claims that the consciousness of the superiority of some feelings over others—the consciousness, namely, that some feelings are meant as guides for others—has a good deal to do with the formation of the abstract conception of duty.

And Bain * writes:—"By a familiar effect of contiguous association the dread of punishment clothes the forbidden act with a feeling of aversion which in the end persists of its own accord, and without reference to punishment. Actions that have long been connected in the mind with pains and penalties come to be contemplated with a disinterested repugnance. They seem to give pain on their own account. . . . Now, when by such transference a self-subsisting sentiment of aversion has been created, the conscience seems to be detached from all external sanctions and to possess an isolated footing in the mind. It has passed through the stage of reference to authority and has become a law to itself. . . . There is no act, however trivial, that cannot be raised to the position of a moral act by the imperative of Society."

THE TWO FORMS OF THE POSITIVISTIC THEORY

We must now distinguish between two prominent forms of this Positivistic theory of duty, which differ greatly in regard to the forces to which they make appeal in order to explain the origin of our conception or feeling of duty. These two forms are distinguished as (*a*) the simple Association, and (*b*) the Evolutionist theory of duty.

(*a*) The simple Association theory, represented by Mill, explains the transformation of the feeling of hypothetical necessity into the feeling of categorical necessity or of duty by laws of Association only. As children, it informs us, we feel that certain actions are necessary *in order to avoid punishment*. The feeling of necessity is one of fear of external authority. Later on, this end or condition, the avoiding of punishment, drops out of sight, and then we believe that these actions are necessary on their own account.

(*b*) Evolutionists (Spencer, Darwin, Professor Simmel, Professor Wundt), whilst acknowledging the influence

* "Moral Science," page 457.

of the laws of Association, still regard these laws as inadequate of themselves to explain the Conception of duty, and they, therefore, supplement the Associationist theory by considerations of Evolution.

The supplementary factors invoked by the Evolutionists in explanation of "duty" are principally two-fold:—

First, they make appeal to the law of heredity, and claim that the process which has resulted in our present feeling of Duty began, not in the childhood of each individual, but in distant ages long ago when man first began to rule his fellowmen by means of laws and commands, and the dread of punishments. It is the feelings of external compulsion and of fear thus generated, and accumulated and consolidated during that long period, and transmitted by heredity from one age to another, and moulded within the consciousness of the race under the laws of Association into newer and newer forms at each period, that have, according to the Evolutionist Ethicians, become transformed into our present conception of moral necessity or obligation.

Evolutionists also claim to show how the mere *fear* * of external authority (which, according to Mill, sufficiently explains our feeling of duty, but which, according to the Evolutionists is not sufficient, since duty is felt to be not only a categorical necessity, but also a categorical necessity laid upon us from *within* ourselves) became transformed into an *internal imitation of* autho-

* Evolutionists are not all agreed as to the manner in which the transmitted feelings become associated so as to form the feeling of duty, nor do they agree as to what feelings are involved in its formation. We may take the views defended by Prof. Taylor in his "Problem of Conduct" and by Prof. Paulsen in his "System of Ethics" as examples of this divergency. The evolutionary process, Prof. Taylor tells us, begins with the feeling of *dissatisfaction* with our own act—for instance, the discontented feeling of the Australian whose boomerang has failed to bring down a duck. This feeling, however, is not itself a feeling of duty. Duty first appears when personal dissatisfaction becomes transformed into, or is supplemented by, *tribal dissatisfaction*. Then comes the *religious* period, in which our imaginations represent the Deity as punishing for offences against the tribal will, and then as punishing our secret actions on their own account. It is religion, he says, that has "substituted an inward morality of character and intention for a

rity, and thus produced in ourselves what is known as the feeling of the autonomy of duty or of law. This feeling some explain by our sense of the superiority of the more highly evolved impulses over the less evolved, others by the more radical evolutionary assumption that under the influence of heredity the feelings of the whole race come to be transmitted to and consolidated in each individual man, so that the individual becomes a microcosm of humanity or of the State, and the law and authority of the State are thus felt within himself as if belonging to himself, as ruling and resisting himself, as autonomous.

In all these theories, however, the original factor out of which the feeling of duty is said to be evolved is that of external compulsion. Dread and Compulsion are thus the working factors—Time and Inheritance the conditions under which, in the Evolutionary theory, our feelings of coerciveness grow into that of moral duty.

It would be impossible for us to criticise the various forms of this Positivistic theory in detail, and we shall confine ourselves to a consideration of the one fundamental principle of all these theories—the principle, namely, that our conception of moral obligation is a growth out of former feelings of compulsion by Public authority, whether that authority be felt as without or within the mind, and whether it be due to Evolutionary factors or to mere association.

Criticism—(*a*) The positivist theory of duty is only a

legalistic morality of outward performance" (page 142). The last or *purely ethical* stage is reached when this conception of external law-giver and outward sanction gives place to that of internal law-giver and inward sanction - a transformation which easily becomes possible as soon as the tribal religion comes to be regarded as a part only of the Universal religion. For then we see that there are bad acts which yet are not forbidden by our tribal religion, and in that way the conception of a personal law-giver gives way gradually to the conception of impersonal prohibition, which ultimately takes the form of a prohibition arising out of the nature of the act itself.

Prof. Paulsen asserts that the feeling of duty arises from the reaction that we feel when *custom* is violated—a reaction that reveals itself as the authoritative command of, or as punishment inflicted by, parents, people, and gods, whom we regard as the custodians of the world's customs. The feeling of duty, however, is an evolutionary growth, and is present in an imperfect form in animals as well as in men (page 343).

necessary appendage to the positivist theory of "good" or of *Moral distinctions*, and stands or falls with that theory. But by showing that there are in man natural appetites we have already disproved the positivist theory of "good." Therefore, their theory of duty is also disproved, at least indirectly.

(*b*) Having once proved, as we claim to have done in this chapter, the reality of duty, the question of the origin of our idea of duty can be answered in one way only—namely, that our idea of duty arose from our perception of the reality of duty itself. To imagine intangible and unverifiable hypotheses such as those formulated by the Positivists concerning the origin of the idea of duty, *when duty has been proved to be a reality*, would be like forming deep metaphysical hypotheses to explain the existence of a photograph of which we know the original, and neglecting the simplest explanation of all—namely, that it is a copy of and represents the original.

(*c*) Mere association, even when helped on by heredity, cannot force our intellects into believing or assenting to any proposition. Association may, indeed, create certain subjective bonds between our ideas, but it can never give rise to judgment. A colour and a perfume may always occur together, but the subjective association that thereby arises between them can never make us believe that one *is* the other. Consequently, mere associations, however long-continued, cannot explain our belief in duty. And this argument is strengthened by the consideration that whereas, on the one hand, if the Association hypothesis is to be invoked to explain our belief in duty, we should be satisfied that the hypothesis is not itself the merest imagination—that is, we should be satisfied that mere Association *has actually* given rise to intellectual beliefs in very many cases—on the other hand, it is plain that Associationists are not able to point to a single indisputable instance in which Association has ever given rise to an intellectual belief. An hypothesis of this kind should not be purely imaginary.

Again, even if an association could become a judgment, the mind retains always the power of returning upon its judgments, of examining them, and, if they be not capable of some kind of rational justification, of rejecting them. Yet under no circumstances will men ever come to reject the ordinary principles of natural duty such as that it is a duty of parents to educate their offspring. Hence the necessity of these judgments is not due to association. Neither is the conception of duty in general due to association.

(*d*) Supposing that mere external compulsion by the State could generate the judgment that certain acts are *intrinsically* necessary, then if any customs like the wearing of pig-tails by the Chinese were to become a Universal law, we should gradually come to believe that such things were intrinsically a duty, and that non-conformity to them was *intrinsically* a violation of duty, and we should still believe it was a violation of duty even though the law forbidding it were to be repealed. Yet this, we claim, no sensible man could possibly believe. For, many such customs have prevailed amongst men for a very long time, and then have fallen into disuse. Yet no *trace* survived of a feeling, or even of the beginning of a feeling, that they were obligatory.

(*e*) Even if the State were to command such acts as lying, stealing, and blasphemy, we could never come to regard these things as intrinsically our duty. Hence extrinsic compulsion could not of itself give rise to the idea of intrinsic obligation.

(*f*) If the idea of obligation be wholly due to State and to social compulsion, the State must once have formally commanded such acts as the care of offspring, marital fidelity, and the like. Now, if the State did prescribe such courses of conduct it must have recognised the *necessity* of these courses. For the State cannot have acted at random in the past any more than in the present. But the duty of conduct is nothing more than the necessity of it. Hence State compulsion must have been itself built upon conceptions of duty. Con-

sequently, duty does not originate in mere external compulsion. Also, the Legislator makes laws because he is persuaded that it is his duty to secure the common good, and that it is the *duty* of the people to obey them. Legislation then supposes duty.

(*g*) If we must suppose that the intellectual conception of duty has grown out of *some* formerly experienced necessity it is much easier to imagine that the conception of duty arose out of our experience of the *necessity of objects* for our inner appetites than from the necessity of outer compulsion. For the feeling of duty, like our appetites, is intrinsic not extrinsic to man, whereas compulsion is extrinsic. Besides, these appetites are older than the laws of Society—they are as old as the individual himself, and hence the feeling of duty is more likely to have originated with appetite than in the feeling of external compulsion by Society. But if the conception of duty arose from the feeling of the necessities of certain appetites its origin accords with the theory of duty which we have sought to establish in the present chapter.

(*h*) The positivist theory of duty is built on the supposition that there is no final end of our wills. As we showed in the present chapter, many positivists have admitted that if there were a final end to the will, the series of hypothetical necessities would become a categorical series, and would be our duty. But we claim to have established the existence of this final end.

(*i*) Lastly, we might argue against Positivistic Morality on the ground of Expediency. If at any time men should come generally to believe that obligation is mere imagination, that there is nothing in the nature of things that corresponds to the conception of obligation, then morals must decline, and the race must quickly come to ruin. Taking man as he is, even at his best, we cannot, as Spencer does, look forward to a time when man will not need the conception of obligation in order to do good deeds. This being the case, we should

not lightly and without sufficient reason accept the theory of Positivism.

But there is no sufficient reason for accepting the theory of Positivism. Positivism is grounded on no reasons, no proofs. It is an historical theory without historical support (the conception of duty is certainly as old as history); an Ethical theory without Ethical grounds (its one aim is to disprove morality, to render it meaningless, to show that it is sprung out of error); an anthropological theory, which yet contradicts all that we know of man (the parent must always have recognised that he has a natural duty to his children, the citizen that it is his natural duty to support the State); a Sociological theory which cuts at the very root of Society (Society could not now subsist a day, nor could it have subsisted in the past had no one believed he had a natural duty to help to maintain it). For these reasons we reject the positivistic conception of Duty.

(5) *Theory of complete and formal rejection of duty.*

M. Guyau has formulated a theory which frankly and completely discards "Duty" without retaining even the shadow of it which lingers in some of the positivist theories. The title of his book in which the subject is discussed will leave the reader in no doubt. It is "Esquisse d'une Morale sans Obligation ni Sanction." The theory of the future, he says in his preface, is not the theory of "autonomous" reason but of "anomous" reason.

According to M. Guyau there is no obligation, no duty, and no sanction. But he admits there is in the life of man a certain force or influence which acts on man's mental faculties, and which moves his will, his intellect, and his senses, soliciting or persuading them, saying "Il faut—δεῖ." But this force is not duty, for there is no such thing as duty.

What, then, are these various things which can move us as duty would—that play the part of duty, or, as M. Guyau says, are a "substitute for or an equivalent of duty"? The fundamental principle in these moving

forces is "life," for life is the cause of all action. It is the efficient cause of all unconscious action in man and the final cause or end of conscious action. Life is the necessary object of every desire, and it is that which moves us to every act. We must see now how the movements of life supply us with equivalents of duty. "Let us place ourselves successively," he writes, "at the three points of view—that of the will, that of the intellect, that of sense.

1st. For the will this equivalent of duty is *superabundance of life, the power of life* to overflow in action, the power to act. (Existence d'un certain devoir impersonnel créé par la pouvoir même d'agir. Premier équivalent du devoir.) "Life cannot maintain itself except on condition of expanding itself," and in expanding it produces a feeling of "pression interne," which is a feeling of inner compulsion. We can make comparison with the plant to illustrate life's impulse to expand. The plant cannot help bursting into flower, for the general tendency of life is "Ever onward, ever higher still." The same impulse of life has given to the will the tendency ever to expand, which is our capacity for action. This is the first equivalent of duty. As regards the necessity of acting and the feeling of necessity the "pression interne" explains all that duty explains.

2nd. How does the intellect tend to move one to action, and what, therefore, is its equivalent for duty? M. Guyau answers:—Thought and act are really one in principle. No bridge is needed to pass from one to the other. All ideas are force-ideas (idées-forces). That is to say, the idea of action tends to pass into action and supplies the intellect with the needful motor power. The Conception itself, therefore, supplies the second equivalent of duty (Existence d'un certain devoir impersonnel créé par la conception même de l'action. Deuxième équivalent du devoir).

3rd. What equivalent for duty is possessed by sense? According to M. Guyau, sense (sensibilité) acquires this equivalent by evolution—that is, by its tend-

ing ever to evolve to a higher and more complex condition. M. Guyau tells us that "les plaisirs égoïstes" are on a lower plane than altruistic pleasure—that as pleasures become higher they become less egoistic and more altruistic—that as pleasure becomes more complex it becomes more sociable and further removed from the pleasure of the isolated individual. In the higher degree of evolution, therefore, the sociability of pleasure becomes an essential part of pleasure. This feeling of tendency towards altruism imposes on us a "bond" (lien) which is the third equivalent of duty. It is created by "la fusion croissante des sensibilités."

In a brief resumptive paragraph M. Guyau explains these three equivalents of duty. "Prendre la conscience de devoirs moraux, c'est prendre la conscience de pouvoirs intérieurs et supérieurs qui se développent en nous, et nous poussent à agir, d'idées qui tendent à se réaliser, par leur force propre, de sentiments qui par leur évolution même tendent à se socialiser à s'emprégner de toute la sensibilité présente dans l'humanité et dans l'univers."

Now, all these forces or tendencies to action beget in us instincts, the highest of which is the altruistic instinct.

But the question arises—Suppose that some day men should ask why should they follow these instincts, or why may they not do what they wish, what, then, will become of morality? Moral duty, on M. Guyau's teaching, does not exist, consequently we cannot answer that they ought to follow these instincts. In that case is there anything in man that can act as an equivalent of duty and save morality? According to M. Guyau there are two tendencies in man which can "lutter contre la dissolution morale et suppléer ainsi l'obligation absolue des anciens moralistes." They are the following, and they supply the fourth and fifth equivalents of duty in performing the function usually attributed to duty of keeping men moral; namely:—

4th. Equivalent of duty—the pleasure of *risk* and

struggle in action. Man finds pleasure in risk, in danger, in struggle. And this pleasure is grounded in man's "besoin de se sentir grand, d'avoir par instants conscience de la sublimité de sa volonté. Cette conscience il l'acquiert dans la lutte, lutte contre soi et contre ses passions."

This equivalent for Duty, therefore, will maintain morality even when men begin to ask for a reason why they should be moral, for it will tend to lessen the force of passion and to maintain self-control.

5th Equivalent for duty in maintaining morality—le *risque* métaphysique—l'hypothèse, "risk in thought."

This is man's tendency—(*a*) to form for himself an ideal of action, an ideal which is purely hypothetical and unreal, and (*b*) then in the sphere of action to produce this ideal, and to act as if it were his end, when, as a matter of fact, we don't know that it is our end. This risk which we tend to run in producing an ideal which may never be, tends to maintain the higher life. "La vie de toutes parts est enveloppée d'inconnu. Pourtant j'agis, je travaille, j'entreprends; et dans toutes mes actes dans toutes mes pensées, je présuppose cet avenir sur lequel rien ne m'autorise à compter, je dépense mon énergie sans craindre que cette dépense soit une perte sèche. Je m'impose des privations en comptant que l'avenir les rachètera, je vais mon chemin."

These five equivalents supply the place of duty. The first three explain everything in what is called man's moral nature—everything that is explained by duty. The last two supply the place of duty in securing for man control over the passions and in the maintaining of a moral ideal.

Criticism—(*a*) Our first point of criticism is that if the word "moral" has a definite meaning, then a *moral* system without duty (Une Morale sans obligation) is an impossible conception. For a *moral* system, if it means anything, means a system of laws binding on human beings who yet are free to obey or not to obey these laws. A system of laws which binds in any other way than

this, a system of laws which must be obeyed, which cannot be resisted, is a physical not a moral system. Hence the necessity that obtains in a moral system must be a necessity of obligation, not of physical compulsion.

(*b*) If the only necessity that moves to action is the inner force of expansion belonging to all living things, and if morals be only the necessity resulting from this expansion, then the movements of plants and animals are subject to the very same kind of necessity that men are subject to, a conclusion, indeed, which M. Guyau accepts, but which we believe the world at large will not accept. For it is absurd to speak of the law that impels the plant to grow as the same in kind which impels a man to help the poor. The laws of plants are unconscious necessities, those that we include under "Duty" are conscious necessities. The laws of plants, and likewise those of animals, are necessities to which they are impelled independently of themselves—the law which impels a man to help the poor is a necessity to the fulfilment of which he *determines himself*.

(*c*) We have already shown that man is ordained by nature to a definite end, and also that duty is the consequent necessity laid on the will of taking the means necessary to the attainment of this end. There is, then, no necessity for imagining equivalents for duty. Duty is itself a demonstrable fact and law, and admits of no equivalent.

(*d*) We now go on to show that in no sense can we admit these five equivalents of M. Guyau as substitutes for duty.

(1) Life, its overflow and expansion, are not a substitute for duty. We admit a fundamental expansion of the will to good. But this is irresistible, and it is not duty but the basis of duty. For besides the physical irresistible necessity which moves the will to desire good we have proved the existence of another necessity which physically is not irresistible, and it is for this moral necessity that M. Guyau must supply a substitute if he would provide equivalents for duty.

Besides the expansion of the will to good we admit also the existence of other natural expansions—those, namely, of the other appetites, sensuous and rational; but these are not an equivalent for duty, for they are neither physically irresistible themselves nor are they capable of giving rise to a moral necessity such as depends on the rational appetite of will. But duty is certainly a necessity of some kind laid on the will. Life and its expansion, therefore, are not a substitute for duty.

(2) The second supposed equivalent—that of the idée-force—is also outside our conception of duty. The man who stands upon a giddy height and feels inclined to throw himself down, is moved to do so by an idée-force. But we do not regard such motor power as the same in kind as what is spoken of as the necessity of duty. In fact it opposes duty, for a man is bound to avoid committing suicide, however strong the idée-force impelling him to it. Besides, it is absurd to claim that all ideas are idées-forces. The idea "two" or "house" is not an idée-force, because it has no tendency to produce action.

(3) The third equivalent—the tendency of sensibility to develop into altruism—is neither an equivalent of duty nor an actual fact. Altruism, in so far as it is a duty at all, is only one of our duties, and, therefore, should not be described as an equivalent of duty. Again, in sensibility as such there is no germ of altruism. Intellect tends to be altruistic, as we shall see later in our chapter on Utilitarianism, for intellect is able to grasp the community of nature between one's self and others. But sense as such is incapable of any such conception, and it cannot develop into altruism. Creatures of sense may, indeed, become possessed by nature of certain special appetites or kind affections like that of parental affection. But sense itself cannot become altruistic.

(4) The fourth equivalent of Guyau falls very far short of supplying the place of Duty in the maintenance of

Morality. No man has a natural tendency to struggle against passion except in so far as he conceives it to be his duty to do so—that is, in so far as he sees that passion unchecked is necessarily an evil, and, therefore, to be avoided. It is sheer nonsense to speak of men in general as resisting passion for the sake of the risk and struggle of it, or even in order to appear to themselves master of their appetites. The mere desire to master oneself could not long maintain a high level of morality in this world.

(5) The fifth equivalent—viz., that of the "Ideal" which we form for ourselves, but which has no existence in reality—is no substitute for our sense of Duty. Were men persuaded that there was no law binding them to be good, and no end which they were really meant to attain, they would not have the same incentive to be good as that which comes of the sense of duty and the firm conviction of an Hereafter.

In conclusion we may remark that these five supposed equivalents are not really equivalents or substitutes for duty, because, whereas duty when understood is recognised as imperative, the more a man understands these equivalents the more he is likely to despise and to refuse to regulate his conduct according to them.

Appendix—Kant's Deduction of Liberty from Moral Obligation.

We saw in a previous chapter that liberty is a necessary pre-condition of moral obligation. Now, inasmuch as a necessary pre-condition must always exist before that to which it is a pre-condition can become real it follows that the will must be free before it could be subject to moral obligation. Now, directly and fundamentally, this proposition that the will must be free if it be subject to moral obligation concerns the ontological order only, not the psychological order or the order of our ideas. But an interesting question arises concerning the relation of

freedom and moral obligation in the psychological order or the order of knowledge—namely, could we, even though there were no other proof of freedom, infer the freedom of the will from the fact that it is subject to moral obligation? Our answer to this question will depend on the way in which moral obligation is made known to our Reason. If obligation were made known to us by intuition so that we could see it with our intellects as we see colours with our eyes, then, since freedom is a necessary pre-requisite of obligation, we should be justified in making the inference that since obligation is a reality freedom also must be real. We might then adopt the simple formula in which Kant epitomises his whole theory of the relation of freedom to moral obligation—"I ought, therefore I can." On the other hand, if obligation be not known to us by intuition, if its existence must be established by reasoning from premiss to conclusion, and if, in addition, freedom be in any way contained in the notion of obligation, then it would be illogical to make the deduction that since the will is subject to moral obligation, it must be free, just as it would be illogical to make the inference that since the prisoner is guilty he must be real, on the ground that no man could be guilty except he were real.

Now, we proved in the present chapter against the express teaching of Kant that Moral obligation is not known to us by introspection or by any kind of intuition, and, therefore, we may conclude that the Kantian formula which deduces the freedom of the will from obligation—"I ought, therefore I can"—is founded on a false psychological assumption, and that it cannot be accepted as a genuine proof of freedom. As it would be absurd to deduce the axioms of Euclid from the forty-seventh proposition, they being pre-suppositions of it, and contained in the very notion of its terms, so it would be illogical to conclude the existence of freedom from moral obligation. Freedom is a pre-supposition of moral obligation, an intrinsic pre-supposition—that is,

it enters into the conception of obligation, and, therefore, we must assume the freedom of the will before we can establish obligation.*

* A theory approaching Kant's is that of the pragmatists—that though freedom is not provable by speculative reason, it is yet necessary, since without it there can be no morality, and morality is a need of life (see Prof. James' "The Will to Believe"). On purely intellectual grounds, Prof. James contends, freedom is not only unprovable, but wholly unacceptable, to reason. But on moral grounds it is a necessary postulate of the practical reason. "While I freely admit," he writes, "that the pluralism and restlessness are repugnant and irrational in a certain way, I find that the alternative to them is irrational in a deeper way. The indeterminism offends only the native absolutism of my intellect—an absolutism which, after all, perhaps deserves to be snubbed and kept in check. But determinism . . . violates my sense of moral reality through and through."

CHAPTER IX

ON STOIC FORMALISM

"THE Grecian-Roman philosophy was not a genuine moral system, but only an Egoistic Pseudo-Ethic; the Philosophy of the Middle Ages was not an autonomous Morality, but only a heteronomous Pseudo-Morality"—Hartmann (Pessimism).

We have, outlined in this passage, the two supposed defects of the ancient and Mediæval Ethic respectively—viz., that in the ancient Grecian Ethic the good was that which pleased and made one happy, and that in the Mediæval Ethic the law of good was represented not as a law of our inner Reason, but either as the law of the Supreme Being or as that of some other authority external to and above us, such as Church, State, or Master. To this twofold "error" Modern Ethics opposed the twofold theory of "Stoic Formalism," and the "Autonomy of the Reason." Let us here see what is to be said on the theory of Stoic Formalism. We shall in a later chapter* discuss the question of Autonomy.

"Stoic formalism" is the theory that no action is moral which is done for pleasure or from any other motive but that of duty or law.† We connect this

* Chapter on Law.

† Besides the theory of pure formalism advocated by Kant there are other partly formalistic theories that approach Kant's theory with varying degrees of closeness. Almost identical with Kant's theory is the well-known view of the Stoics in ancient times and of Whewell in modern times, that to be morally good an act should be done for the sake of virtue, and that virtue is its own reward. Less purely formal is the theory of Sidgwick, that though "duty for duty's sake" is necessary as a general spring of action, it is not an indispensable moral criterion for our individual acts. Less formal still is the view of Shaftesbury, that though we may use our selfish feelings for selfish ends we should use our benevolent feelings for benevolent ends.

theory with Kant's name rather than with that of any other Ethician because it seems to us that, perhaps, with the single exception of Hutcheson, he is the only "formalist" who works out the theory of the exclusion of pleasure from moral action to its full logical conclusion. That action, according to Kant, is unmoral which is done from the motive of pleasure, or, indeed, from any other motive but law or duty. Morality, according to Kant, excludes even the thought of the law-giver as motive of action, and also the thought of this or that law, or of what Kant calls the material of law, the sole motive of a moral action being law itself or the principle of law. Also, to be moral an act should, on this theory, be done not out of the love of law but out of respect (Achtung)—respect for the abstract principle of law or duty. He alone, therefore, is moral, according to Kant, who acts out of respect for the principle of law or duty. According to Hutcheson, also, even regard to the approbation of our own conscience taints the virtue of our act.

Our examination of this theory will consist of two parts :—

(*a*) Consideration of arguments against the theory of formalism.

(*b*) Consideration of the principal arguments in its favour.

(*a*) Disproof of the Theory of Stoic Formalism

(1) We first of all maintain that this very rigorous demand upon our moral nature is not a thing that we are prepared to accept without some rational proof. For (*a*) it is not a principle that appeals all at once to our acceptance; and (*b*) the task that it imposes is a very arduous one. (*a*) We have, for instance, been accustomed to call the cheerful giver—*i.e.*, the man who gives because he loves the poor—the moral man par excellence, and not the man who gives out of respect for law. Also (*b*) to exclude pleasure wholly as motive of human action is to demand something which is quite above

human nature. This view of morals, therefore, is both startling and rigorous. Whether the proofs of this theory are rational or sufficient to force it upon our acceptance in spite of its novelty and the difficulty of its observance, we shall enquire later.

(2) We contend that the idea of " duty for duty's sake " is not necessarily implied in the scientific or technical conception of a morally good act.

This will be evident from the conception of goodness as developed in the preceding pages. A morally good act, we saw, is one which is directed by Reason to our last end. Provided, then, that all the ends that we seek in any particular act are such as lead us to our final end, our act is morally good. The final end, then, is the proper motive of a moral act, and any action may be brought under that motive and be morally good if the ends involved in it be such as really promote our final end. We saw also that any act will promote our final end which accords with the natural objects of our faculties.

Hence duty or law is not a necessary motive of every moral action.

(3) It is obvious that if such acts alone are morally good as are done for the sake of duty, then only such acts are good as are actually obligatory. Hence works of supererogation could not possibly be morally good from their very definition as supererogatory, since works of supererogation are not our duty, and, therefore, they could not be done out of the motive of duty. We believe, however, that to exclude works of supererogation from the sphere of moral action would be to go dead against the common sense of mankind. For common sense affirms that he who is bound to give five pounds to the poor, and yet gives two hundred pounds, is morally a better man, ceteris paribus, than he who barely fulfils his obligation.

It has been said, however, by some followers of Kant that works of supererogation are at least *allowed* * by

* We cannot verify this view, nor can we remember where we have seen it stated.

law, and that a man who does an act because it is *allowed* by law really does it for the sake of the law or of duty, and that, consequently, works of supererogation can, even on the Kantian theory, be brought under the motive of duty. We maintain, however, that mere lawfulness is not a motive of action—that is, that we could not possibly do an act merely *because it was lawful*, that the man who thinks of the lawfulness of an act may do it, indeed, *with* deference to law, but that he does not do it *on account* of its lawfulness. Lawfulness, or "allowability" is *de se* a mere negation, signifying nothing more than that the law does not oppose a particular action, and no man could possibly act from such a motive. A man could not, for instance, be drawn to eat his dinner merely because it was lawful. A man may eat for eating's sake or to please others, but an end he must have, to act at all, and mere allowability is not a sufficient end. Neither could a man give money merely *because* it was lawful. He might give it to relieve the poor, or because he had too much of it, or for some ulterior motive or ambition, but he could not give it from the sole idea that it is lawful. Mere lawfulness, therefore, can never constitute the purpose of, though it may constitute a condition of action. That is, I may first ascertain that an act is lawful, and then do it for some other reason. But I could not do it simply because it was lawful.

Works, therefore, of supererogation must, on the Stoic theory, stand completely outside the category of morality. They are not a duty, and hence could not be done for duty's sake.

(4) On the theory of Formalism all moral acts must be equally moral, *since on this theory the sole ground of the morality of an act is the motive which inspires it,* and there is on this theory only one possible moral motive—namely, the fulfilling of duty. He who pays a greater sum because he has to pay it is no better on this theory than the man who pays less, for all just do what they have to do, and *because* they have to do it.

(5) On the Kantian theory there is no room for merit with our fellowmen since no man merits with another by the mere doing of what he is obliged to do. I do not merit with other men by paying what I owe them, because to pay what I owe is a strict duty, and no thanks is due for its fulfilment.

(6) If to do an act because it subserves a useful purpose will not make an action morally good, then to do it because it is injurious will not render an action morally bad. *Eadem est ratio oppositorum.* If to do a good act I must do it not merely *with* respect for, but *out of* respect for, and *on account* of, law—*i.e.*, if goodness depends on my attitude of will to law, then to do an evil action I must act not merely *with* disrespect but *from* very disrespect of and hatred to law. This, we need hardly say, is altogether at variance with our moral conceptions generally, and the consequence of it must be to render the whole moral law and system nugatory. For no criminal acts for the simple purpose of violating a law, but rather to please or to enrich himself in spite of law, and such a will would not on this theory be morally bad. This argument, too, tells equally well against Shaftesbury's as against the Kantian formula. If in order that the human will be good, it must desire a virtuous act because it is virtuous, or for the sake of virtue, then in order that a man be morally bad, one must desire evil for the sake of vice, and because it is malicious. On such a theory there is no act that might not be morally condoned, since any act, however evil, may be done for the pleasure which it affords, or for its usefulness, or for some other end besides mere viciousness, whereas if Formalism be true only such acts are bad as are done out of the very motive of viciousness. Nay, since no man could desire an evil action merely because of the evil of it, there could be, on this theory, no such thing as moral evil in the world, even though there might be moral good. This, again, is a view of morals to which the world in general will not readily subscribe.

(7) We have seen already that the exclusion of pleasure

from the motives of human action is quite as hopeless a task as the exclusion of object. The will, we have already seen, must desire happiness and cannot help desiring it, and the morality or immorality of the happiness we get depends on the nature of the object to which it attaches. Happiness is the one constant of human action, even though it is not always our principal end.

And Kant himself writes that "to be happy is necessarily the wish of every finite rational being." And again, in the "Metaphysical Elements," * "one's own happiness is, no doubt, an end that all men have by virtue of the impulse of their nature." The necessity of pleasure to action, therefore, is, on Kant's own confession, a law of nature which it is vain to seek to ignore or to attempt to change. Yet, even in the very teeth of this confession we find him still maintaining that to do moral action we must do it not *from* pleasure but out of respect for law. This is the paradox of the moral reason, the antinomy which Kant accepts as a necessary implication of his system. No doubt, he attempts solutions of it in various parts of his work. For instance, he writes that the *end* of action may be happiness, but the *principle* of it must be respect for law; that although the principle of action may not be *happiness*, nevertheless a man's *gluckwürdigkeit*, or that worthiness to be happy that certain actions bestow, may be a proper principle of morality; that my own perfection may be a *principle* of action, and as happiness forms part of that, or is a necessary condition to it, happiness may become a moral motive in so far as it is a means to perfection; that I can wish the happiness of other men, which end not being sensitive may be both end and principle of moral action.† In any of these four ways room may be made, according to Kant, for admitting happiness into

* Abbot, page 296.

† Hartmann maintains that the happiness of other men is not a moral end with Kant, for, first, happiness is, according to Kant, rather an accidental additional result (beilaufiges ergebnitz) of moral action than its end; and, secondly, it is not the happiness of the people of which Kant speaks, so much as their perfection, the salus civitatis, not the salus civium. We believe, however, that Hartmann is here reading into Kant, and that our own interpretation given above is correct.

the motive of moral action. Yet happiness itself as such Kant will not recognise as a possible motive of morality. Now this rigid asceticism is not consistent with Kant's admissions that happiness is a necessary and natural impulse, that happiness we must and do desire, whatever other end we be in pursuit of. For even if a man were to pursue his own perfection, his own *gluckwürdigkeit,* or the happiness of other men, yet on Kant's confession these are all ends only in so far as they subserve our own pleasure—" To be happy is necessarily the wish of every finite rational creature." And he calls it a " natural end of the will," thereby indicating that, unlike any other end, it is present and must be present in every act of the human will.

This argument Kant attempts to answer saying that happiness, though a necessary *end* of action, need not be the *principle* or motive of action. We rejoin, if happiness be the end of action it is also its principle. The will has no other motive power, no other principle, but ends. The will requires, no doubt, that intellect intervene, to place before it the ends to be chosen; but ends are its natural and its only motive power. Hence if happiness be the necessary wish of every finite creature, it is also the necessary principle of every moral act.* We also maintain that if happiness may be an end, but cannot be the motive of a moral act, we should in practice be able to observe this distinction, and, whilst admitting happiness as our end, exclude it as our motive or principle of action.

Now, we confess that we at least feel quite unable to distinguish in consciousness between those two conceptions—the end of action and the motive or principle of action. To our consciousness the end of action is also the principle and motive of action—it is that on account of which we do the act. And, therefore, we should find it impossible, while admitting anything as end, to

* The reader will remember that in our theory it is the object of happiness and not happiness itself which is present in most acts. We are here only arguing on Kant's admissions that happiness itself is a necessary end.

prevent it from becoming a motive also. We think, also, this inability is general and not proper to ourselves.

Kant, however, adduces one ground of distinction between "end" and "principle" which must be examined. We *love* ends, he tells us, but we may *respect* principles, and it is as respected and not as loved that law as principle has moral worth.

But what, we ask, is respect without the element of love, the element which is so strictly forbidden a place in our moral motives? Kant himself has spoken very clearly on the point. "Respect," he tells us, "is so far from being a feeling of pleasure, that we only reluctantly give way to it as regards a man;" and, again, the distinguishing mark of respect is * "an inward reluctance of the will towards law."

Are we to believe, then, that the sole motive of morality is inner reluctance to law, that the morally good man is, to use Schiller's witty description, he who "despises the law and with horror fulfils it? ("Da ist kein anderer Rath, du musst suchen sie zu verachten und mit Abscheu alsdann thun.") This on moral grounds we cannot believe. Psychologically, also, this supposition is impossible. For though a man could at the same time fulfil the law and hate it, he could not fulfil it because of hatred or out of the motive of reluctance.

Without the element of love, then, "respect" is neither a moral motive nor a psychologically possible ground of action.† Hence Stoicism is also impossible.

It is not necessary to refer to Kant's four solutions at any length. Why, for instance, should "worthiness to be happy" be a moral principle if "happiness" itself cannot be? The man who works in order to be worthy of a reward works really and ultimately for the reward. Consequently if it be moral to act because of *gluckwürdigkeit* it is moral to act because of *gluckseligkeit* also. Nor is the Wollfian conception of "per-

* Abbot, page 177.

† It is curious that whilst Kant would not allow us to act out of respect for the lawgiver but only for the law, he yet (Abbot, page 162) informs us that "Respect applies always to persons only, not to things."

fection " as motive of action any better as a solution of the problem. Perfection, says Kant, is not a factor of the senses, but of reason, and so may form a principle of moral action. Still, perfection is an end, and as end it is sought, on Kant's own showing, as a means to happiness, and, therefore, it should not be recognised as a moral motive. The same is to be said of the happiness of others as motive.

(8) According to Kant the only moral principle of action is law or respect for law; law in the case being a command of Reason. His proofs we shall examine later on, but at present we wish it to be understood that the law of Reason is a command. Command, however, is, according to Kant, a genuine moral principle, not on account of the legislator who issues it, and not on account of the matter of the command, but simply as command, as law, as legislation. For we must do the act, he tells us, not out of respect for the lawgiver or what the law ordains, but out of respect for law as such. But in law when we abstract from " lawgiver " and from the matter of the laws there is nothing left but the act or command of the legislator—that is, there is nothing left but legislation itself. *Legislation* or command, therefore, as principle of action is, on the present theory, the primary source of the morality of our action. But how, we ask, can legislation as such be a determinant of morality? Is not legislation itself subject to moral criticism? May not legislation be good or bad? May not the commands even of any rightful legislator be bad, and how, then, can legislation be the ultimate source of moral good. This or that command coming from this or that legislator may be good; but legislation as such is not necessarily good. It cannot, therefore, be the final principle of moral action.

It may be answered that legislation which is bad is really not legislation at all, and that, consequently, law or legislation, in the true sense of the word, is necessarily a good motive. We reply—bad legislation is not egislation at all, just in so far as it cannot bind us in

conscience—that is, just in so far as its matter is bad, but it is legislation in the sense that it is the command of an authoritative and rightful legislator, and in this sense it is, according to Kant, the rightful principle of action. But, we repeat, as command it may be either good or bad. Legislation, then, as such, in sense of command as such, is not the ultimate principle of morality.

(9) Law itself should be subordinated to the end which it is naturally intended to promote—viz., the common good. The end of law is the advancement of the common good, and, therefore, to make moral good consist in acting out of respect for law, and not in acting from the motive of the good which the law is originally meant to secure, is to invert the natural order of things—to make the means principal, and such a proceeding would, if the illustration will be allowed, be about as absurd as to say that a dancer ought to aim at acting out of respect to the word of his master rather than with a view to executing a graceful movement.*

* We may here be allowed to notice an argument which has been made much of by many of Kant's opponents, but which to our mind involves a mis-statement of the principles of Stoicism, and therefore cannot be regarded as a logical answer to it. The argument rests on what is known as the paradox of Stoicism, and we give it prominence here simply because of its historical importance. Briefly put, this argument is as follows:—"Before you can have regard to the virtue of an act, the act itself must be virtuous" (Hume, "Enquiry," page 479). Again, Green writes:—"No act can be virtuous or morally good unless there be in human nature some motive to produce it, distinct from the sense of its morality." The argument is this—the doing of an act for the sake of virtue cannot itself be the principle on which the moral virtuousness of an act depends, since it already supposes the act to be virtuous. The Stoic position is, therefore, a usteron Proteron and a paradox.

But this really is not an answer to Kant. Kant and Whewell both grant that before we can desire a virtuous act on account of its virtue the act must first be materially good. But they claim that if, over and above the materially good act, you are also to have a formally good act or a virtuous or moral will, then the will must wish the act in question simply because it is virtuous or good, and for no other reason. There is here no paradox and no usteron proteron. The formally virtuous will and the materially good object or end are two distinct things. The formally good act presupposes an act materially good, but it does not presuppose formal goodness, and, therefore, it is no paradox to assert that in order that an act should be formally good or virtuous we should do it on account of the virtuousness or goodness that it contains considered materially.

(*b*) Arguments of the Formalists

We shall now examine the principal arguments of the formalists. It is not, indeed, easy to get Kant's arguments together, or to put them succinctly, since he himself seems to have written them just as they occurred to him without order and often with much seeming inconsistency. The following two arguments, however, must be considered :—

First. Stoicism, or "duty for duty's sake," is the creed of the crowd. It is the common or the vulgar idea of morality, the idea which receives "the thorough assent of even common reason."

Secondly. The desire for external ends can never give us more than a hypothetical good, since external objects are always mere means to pleasure. Hence the principle of morality cannot lie in external goods or objects. Again, pleasure is that in which all disagree, and hence the motive of morality cannot be pleasure. The only determinant of moral action, therefore, is within the will itself. And the only principle which we can follow in the will as principle is the command or law of reason.* Therefore, the only moral principle is this command or law of reason. But the law of reason as such is without content. It is not a command to do this or that act, but to do our duty. Therefore, the only principle of good action is the pure idea of law or duty, of "duty for duty's sake." †

Let us examine these arguments separately.

(1) Stoicism has the "thorough assent of even common reason." This, we believe, is the main ground of Stoicism and the ground which once secured

* In Kant's theory, reason and will are one and the same faculty.

† We take no notice here of the manifestly fallacious argument developed by Kant in the "Metaphysic of Morals" (page 65, Abbot)—namely, that the will is free in so far as it causes its own act; that causality entails law; that, therefore, freedom entails law; that law is, therefore, a necessity of the free act; and that, therefore, we must act for law. The fallacy is quite obvious. Causality implies law just in the sense that an effect must have a cause, and that the same cause in same circumstances produces the same effect. But to pass from that to the conception that, therefore, the will must act for the sake of law in the sense of the command of a legislator is really preposterous.

to Kant's doctrine a more or less general acceptance. As proof that pleasure or Utility or outward effects are not a true motive of morality Kant writes:—"A good will is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition—*that is,* it is good in itself; and considered by itself is to be esteemed much higher than all that can be brought about by it in favour of any inclination, nay, even of the sum total of inclinations." This, Kant maintains, is the common and the vulgar conception of morals. Let us see whether this is true. We have ourselves italicised the words "that is" in the quotation, for it is to the transition which Kant attempts to effect at this point that we wish to draw the reader's attention. We grant most willingly that the "common reason" will regard that will as good which has wished well and morally independently altogether of its being able to reduce its volition to reality, and independently also of that which it actually "effects." He, for instance, who would wish to come to the aid of the distressed but cannot do so is quite as moral as he who actually aids them. And, on the other hand, he who has the will to do good, but really does evil, either by accident or by mistake, is morally quite as good as he who does the good in fact. In that sense, indeed, "a good will is good, not by virtue of what it *effects,* but simply by virtue of the volition." But in admitting this we have admitted no more than that it is the internal act of the will which is good primarily and essentially, and that external actions are morally good only in so far as they are connected with the inner intention or motive, and make with it a complete human act. So far we are quite at one with Kant. The will is good (and, we may also add, is bad) independently "of what it performs or effects," independently also of its "aptness for the attainment of some proposed end"—its aptness namely, to actually do that which it desires to do; and independently finally "of *what can be brought about*

(*i.e.*, effected) *in favour* of (or in correspondence with) its inclinations or even the sum total of its inclinations." All this is true. But Kant had no right to argue on the ground of these commonplace propositions that the will is *therefore* good in itself, independently *of its wish*, or of what it wishes, or of its inclination, or of the sum total of its inclinations. The world, according to Kant, does not judge a man good or bad by what he effects outwardly, and that is quite true. But the world certainly judges a man to be good or bad according to his inner wishes and desires and by what he desires. A man is not necessarily either good or bad who never robs. But we call him bad if we know that he harbours the desire to rob. We do not call a man good or bad who has never killed another. But we call him bad if it was his intention to do so. We neither call a man selfish nor benevolent who does not give money, since he may have none to give. But we call him selfish if he does not desire to give it, and benevolent if he would give it were it in his power to do so. The world, therefore, judges of the morality of our acts by the ends that we desire. It does not account the will good "in itself" apart from its ends and desires.

In the common Reason, therefore, there is nothing that makes for Stoicism. On the contrary, the common Reason is dead against it, since the common Reason judges of morality according to the objects of our desires.

Again, in treating of Benevolence, we are told by Kant that no act of benevolence can be accounted moral unless "all sympathy be extinguished with the lot of others." While still maintaining the power to help we must, he tells us, if our act is to be moral "be not troubled by their trouble," but be insensible to it, he being alone moral who succeeds in helping them, "having torn himself out of this dead insensibility to perform an action without any inclination to it but simply from duty." * He should, indeed, if he would

* Abbot, page 14.

be consistent with his own principle, have said instead—"When, *having failed* to tear himself out of this dead insensibility, and, therefore, whilst still insensible to their misery, he nevertheless performs an action without any inclination to it, but simply from duty." This view of sympathy is not, we submit, the view taken of it by men at large, it is not the "vulgar morality" or what "the common Reason believes."

Indeed, the more we examine into the matter the more we shall be convinced that the settled conviction of the world is not Stoicism—on the contrary, that Stoicism offends against our commonest moral sensibilities. The plain man's view of morality may be contrasted with Stoicism as follows:—According to Stoicism morality belongs to our wills independently of objects or ends, and our wills are moral when the act springs from the motive of law or duty. The plain man's view is (*a*) that it is, indeed, the good will to do, and not the deed, which is the principal determinant of moral worth; but (*b*) that the will is morally good when all its ends, proximate and remote, are good, and, therefore, that goodness and badness in the human will are determined by the objects which we desire; (*c*) that a bad end vitiates everything; (*d*) that a purely selfish end, though it does not vitiate action, will still rob it of its benevolent character and will rob it, as a consequence, of merit; (*e*) that the desire for happiness in every human breast vitiates no action, that pleasure is good or bad according to the object in which we find it; (*f*) that duty itself is just one of those ends or objects in which a man may place his happiness; (*g*) that duty is not the only moral end or motive, that, in every act, as there is a positive love of happiness, so there must be also just such a love of duty as keeps us from violating duty, but that duty is not the only moral end or moral principle. These are simple conceptions, and they are easily put into practice. Under the law of Stoicism, on the contrary, the world must simply come to a stand still, since men could not act in every case out of the pure respect

for law. For happiness is an ordinary spring of human action, and it is a spring only in so far as it is a motive of action.

(2) In his second proof Kant contends that all objects are only a means to pleasure. This principle we have already examined and rejected, for we showed that outer object is not a means merely to inner pleasure.

Now, however, let us grant for the moment that this contention is true, and that to be moral the will must be determined not by something outside but by something within the will, by something also which is not a means to anything else and is constant in human action and hence necessary. What then? Does it not at once follow that the will is only then morally good when it wishes its own happiness? Is not this, first of all, an inner state, a state of the will itself? and, secondly, is not a will which is determined by its own final happiness determined by something which is not a means to anything else?

Kant answers—Happiness resides not in the rational will but in the senses—in feeling, and feeling varies with different people. We reply again—The happiness that springs from an intellectual object resides in the rational will, and so the happiness of our highest end is a happiness of will and not of sense. Such happiness also does not vary with the feelings and character of the individual, for, as we saw before, the perfect good is a good for every man, and brings happiness to every man; and hence such happiness should be a moral motive according to the conditions laid down by Kant.* "Law," on the other hand, as motive of action, could not, if Kant's conditions are to stand, be a moral motive, for the law of the human Reason is always a *means* merely to good action, and besides, human Reason and law *vary* much in their character and in their dictates with different people.

* The fact that happiness is an inner motive is expressly admitted by Fichte, and hence he speaks of a will that is determined by happiness as at least materially free.

Even, therefore, if the pre-suppositions of Kant's second argument be true—that is, even if the moral principle must be within us, and be not a means to something beyond itself, if also it must be common to all men—Kant has no right to claim that acts must all be done for duty's sake only, and not from the motive of pleasure. For Pleasure lies within us, and is not always a means to something else, and in so far as it arises from the ends of the natural appetites, it is common to all.

NOTE ON KANT'S ARGUMENT

It has been sometimes claimed that Kant attempted to establish his principle of Stoicism (that we ought to do duty for duty's sake) in a third way—namely, through the concept of freedom—his argument, it is said, being that, since the will is free and since freedom excludes all motivation of the will from sense, and therefore excludes all motivation by pleasure, the moral motive must be that of duty. But this is not a true statement of the Kantian position. His position on the point is, it seems to us, after a full examination of it, as follows :—He does not first establish the freedom of the will and from that deduce morality as a conclusion, but he first postulates morality in the sense of duty for duty's sake, as something given, something we know through intuition, and then he postulates freedom as a necessary condition of that. And so he avoids what he himself tells us * looks like a vicious circle "from which we find it (at first sight) impossible to escape," the apparent circle being that "in the order of efficient causes we assume ourselves free in order that in the order of ends we may conceive ourselves as subject to moral laws, and then conceive ourselves as subjected to these laws, because we have attributed to ourselves freedom of the will." We must admit that Kant successfully avoids this circle, for his argument is that we start out from the obligation to do our duty for duty's sake, as something revealed in our inner consciousness, and then having postulated freedom in the noumenal world as a necessary condition of such obligation, Kant simply returns to see how through noumenal freedom that same moral obligation which was previously given us as real and existent in our consciousness is possible. In this there is no vicious circle.

* Abbot, page 69.

OTHER ARGUMENTS FOR STOICISM

In Hartmann and Whewell* we find two distinct arguments for Stoicism. ACCORDING TO HARTMANN there is in man an innate respect for law, and an innate impulse to fulfil the law apart altogether from the consideration of pleasurable ends, so that it would seem natural and right that this instinctive respect should be made supreme in every human action.

Reply—Now, we do not admit that nature has supplied mankind with an innate *respect* for anything, but we do admit that we have an innate *love* of the good, in the sense that the will cannot help wishing the good. But let us suppose that we are endowed by nature with this innate respect for law of which Hartmann speaks, and even with an innate impulse to fulfil the law apart from the consideration of ends—what follows? It follows merely that we are bound in all things first and before all to observe the law, and to do nothing in contravention of it, to do all according to law. It does not follow that we should do all for the sake of law.

WHEWELL'S ARGUMENT is the following:—"Moral goodness is that quality of an act which puts it in conformity with the supreme rule of virtue, which belongs, therefore, to *man as man*—that is, to the whole man; and which must have, therefore, for its principle the supreme rule itself—that is, be done out of the love of virtue."

Reply—Again our answer is that we cannot from the fact that moral virtue belongs to man as man deduce the

* Hegel's argument for Stoicism runs (page 127, "Phil. of Right"):—"Since the good is the essence of the will of the particular subject it is his obligation. As the good is distinct from particularity, and particularity occurs in the subjective will, the good has at the outset only the character of universal abstract essence. This abstract universal is duty. Hence, duty as is required by its character must be done for duty's sake."

Fichte's argument is briefly the following:—There is in man a natural impulse to perfect independence of himself. Hence, the impulse of the ego is towards self-determination, towards independence of external ends, ends that I do not give myself, but which are given me. In its formal and full perfection, however, this independence to which the soul is impelled is the complete realisation of duty for duty's sake. As Fichte puts it, the ego must pursue freedom (from objects) simply because it is ego.

conclusion that, therefore, we must do all things for the sake of virtue, but only that all that we do ought to be virtuous—*i.e.*, that what we do ought to accord with virtue. One might as well say that because eating belongs to us *as animal* we should on that account always eat *in order to* satisfy our animal nature. We may eat for any purpose we like, provided we do not injure our animal nature.

We believe that we have now adduced all the proofs worth noting in defence of Stoic Formalism. In general this theory of duty for duty's sake is not defended by argument, but is assumed as a postulate, which does not need to be proved, since it represents the noblest and purest of all moral systems. But we have shown that Stoicism is anything but a pure system either in itself or in its consequences, since to do a thing for the sake of law is to do a thing for the sake of that which may be either bad or good. Stoicism has often been extolled as a noble and a generous theory because of its exclusion of the selfish element from human action. But the "self" is necessary in every act. For the "self" is the principle of the human act, and action is possible to us only on the condition of its bringing us happiness. Selfishness in this sense we can never exclude from human action.

To sum up this long and complex argument, we reject the theory of Stoic Formalism—the theory, namely, that an act to be morally good should be done for the sake of duty, *first*, because of the arguments adducible in disproof of it—it demands too much of human nature, it is not contained in the idea of the moral good, it does not allow for the morality of works of supererogation, it reduces all individual acts to a dead level of morality, it excludes merit with our fellow-men, it makes moral evil impossible, it conflicts with the natural desire of the will for happiness, it takes no account of the possibility of bad legislation. *Secondly*, we reject it because the arguments used in support of it are fallacious. Stoicism

is not the creed of the crowd. On the contrary, it violates our commonest moral susceptibilities. Also it is built on the false assumptions that all objects are a means to pleasure, and that there is no common law of happiness for different men, no object which will give happiness to all.

CHAPTER X

ON HEDONISM

"HEDONISM" is the theory that pleasure * is the final end of man. Recent writers on Ethics distinguish two systems of Hedonism—that of Egoistic and that of Universalistic Hedonism. The first is the doctrine that the end of each man is his own personal pleasure. The second is that the end of the individual is the pleasure of the whole race. But many Ethical writers use the word "Hedonism" to signify the first theory only, and Utilitarianism to signify the second. It is in this latter Egoistic sense that we shall use the term Hedonism in this chapter. The theory, therefore, which we are now about to examine is the theory that the end of each man is his own pleasure, and that every act is good which promotes that pleasure. In the next chapter we shall discuss Utilitarianism.

There are many forms of the Hedonistic theory, for "pleasure" or "happiness" has many meanings. It may range in its varieties of signification from the gratification of man's merely animal instincts to the happiness which the soul enjoys in contemplating its Creator. We might thus form an ascending scale of theories of

* In ordinary speech the words "pleasure" and "happiness" are generally confused, but "pleasure" sometimes refers to sense, "happiness" to intellect. The Hedonists identify pleasure whether of sense or of intellect with man's final end, and the refutation of this theory is the subject of our chapter. In Aquinas' system (see "S. Theol.," I., II., Q. III., Art. 4) the expression "beatitudo" has a technical meaning. Beatitudo is the "attainment of an end" or the "act of attainment." What is here spoken of as happiness or pleasure is called in Aquinas' system "delectatio"—that is, that pleasant state of the will which follows on the attainment of an end. In this chapter our enquiry is whether happiness, in the sense of the pleasure or rest of will and the other appetites, is our end.

Hedonism, each degree being further removed than its predecessor from material self-indulgence, and nearer to the highest and most purely intellectual happiness of which a rational creature is capable. A few examples will suggest how such a scale might be constructed.*

(1) There is the crude Hedonism of Hobbes' "State of Nature" as described by him in the Leviathan. "Whatsoever," † he says, "is the object of any man's desire that is it which he for his part calleth good." In the State of Nature, therefore, every end was good. And in this State of Nature not only was such object *called* good, but it was *really* good, and there was no other good. There could be no cruder form of Hedonism than this. It recognised no controlling law whatsoever in pleasure or desire.

(2) The Hedonism of Aristippus (leader of the Cyrenaic School of Philosophy in the ancient Greek world) at least recognised some law of preference in pleasure. It denied that purely bodily pleasure was man's end, and gave the preference to mental pleasure. But Aristippus insisted that pleasure is the end of man. This is a higher type of theory than Hobbes', but it does not make a qualitative distinction between pleasures as our next example (Mill) does, for Aristippus held that the difference between bodily and mental pleasure was one of *quantity* only.

(3) Mill goes farther than Hobbes or Aristippus, since he asserts a qualitative distinction between pleasures as man's end—an Ethically preferential scale of pleasures,

* Egoistic theories have not grown more refined with time. Perhaps the most offensive of all Egoistic theories was that put forward as late as 1844 by Max Stirner in his work "Der Einzige und sein Eigenthum"—a work in which the individual is regarded as not only the end of his own action, but as the only thing in the world. To the individual, according to Stirner, the world is only a dream—it exists for him alone. It is his property. He has no duties towards it.

† In Aristotle's theory also, "good" is the "object of appetite." But Aristotle recognises a hierarchy of appetites and of ends, and, just as in the case of any particular project we regard a means as good only in so far as it leads us to our end, and count any course, however pleasurable in itself, a wrong and evil means which leads us from our end, so, also, though the good is the object of appetite, we count any object, however pleasurable, as bad if it leads us from our final end.

the higher pleasure counting more than a lower of even greater strength and duration. Such a system is more refined necessarily than one that recognises as the criterion of the good mere strength and duration, &c., in pleasure.

(4) A still higher form of Hedonism is that adopted by those philosophers who claim special consideration for a special high kind of pleasure, a pleasure which it is asserted outweighs all other kinds—the pleasure of a good conscience.

(5) A higher form still is that which Butler advocates—the Hedonism which includes in its calculus of pleasures those which we are to receive in heaven as a reward of good action. His theory has been called a theory of "long-sighted selfishness."

An attempt to make an exhaustive classification of Ethicians according to the scheme which we have drawn up here will present many difficulties. For instance, some of the most famous Ethical theories are not worked out consistently by their authors, and at some points will appear to belong to one grade, at some points to another grade. Thus, Spinoza starts with Hedonism pure and simple, and ends as a Stoic, for, according to Spinoza, though pleasure is the end, our pleasure must be to realise the soul—*i.e.*, to desire virtue for virtue's sake. Butler is a Hedonist, and yet he tells us that if we seek pleasure it will fly from us. But the scheme will be useful as showing the variety of views included under Hedonism.

It may be well to give the reader, at this point, a brief historical account of some views of Hedonists. A fuller knowledge of the views of Hedonists can be got by the student in Sidgwick's little "History of Ethics," from which we have taken nearly all the contents of this note.

(1) The Socratic Schools.—(*a*) Aristippus taught that virtue is the pleasure-producing. There are no qualitative differences in pleasures. Yet mental pleasures are better than bodily—because intenser. (*b*) Antisthenes taught that pleasure is evil. Virtue is spiritual independence of body or of pleasure.

(2) PLATO.—In the *Protagoras* he insists that pleasure is the good. In the *Phædo* he goes to the opposite extreme, saying—it cannot be good, since all pleasure has pain mixed with it. In the *Republic* and the *Laws* he takes a middle view, maintaining that pleasure is not the "Good," but that pleasure and the good harmonise. The best, he tells us, is also the "pleasantest."

(3) ARISTOTLE.—Pleasure is an accident, but an inseparable accident, of all natural well-being, but it is not the end. The end is function.

(4) STOICS.—Pleasure is not the end, because it is only a result of a natural impulse to an end. To the wise man pleasure is not even a good. But though positive pleasure is not a good or worth striving for, negative pleasure—*i.e.*, the serenity of virtue—is worth striving for.

(5) EPICUREANS.—The pleasure of the individual is the only good. Body is the source of all pleasure. But mental pleasures though not specifically distinct from bodily are greater than any others, because mind, besides present pleasures, has also the pleasures of memory and of anticipation. The pleasure of our whole life is our end.

(6) HOBBES.—*The theoretical ends* of action are pleasure and self-preservation. The practical rule of action for the gaining of these ends is the Sovereign's will.

(7) CUDWORTH.—True happiness is the "pleasure which the soul derives from the sense of virtue."

(8) CUMBERLAND was the first to substitute for the individual the common good (consisting of happiness and perfection) as end of all. From his time Hedonism in England was more Universalistic than Egoistic.

(9) LOCKE.—Our own pleasure is the end, but as subject to law.

(10) SHAFTESBURY was the first philosopher to build an Ethics on the distinction of two impulses in man—one of self-love, the other of benevolence. The "good" is their harmony. He could only be called a Hedonist in so far as he claimed an equal prominence for the selfish and benevolent impulses.

(11) BUTLER.—There are two regulative principles in man—self-love and conscience. If they conflict, conscience must yield. Yet self-love is not so reliable as conscience, and on that score conscience may sometimes not yield to self-love.

(12) HUTCHESON.—A purely self-regarding act is never morally good. It is at best indifferent. Yet private happiness and benevolence must harmonise. To this extent he is a Hedonist. Unlike Shaftesbury, he denies that there is in the purely benevolent impulses any touch of self-love.

(13) Hume, in his later works, admits that there are purely disinterested impulses in men, but denies that they can become active except through self-love. Moral Consciousness is only pleasurable emotion.

(14) Reid.—There are two regulative principles in man—self-love and conscience. Self-love can never be subordinate to conscience. Yet if they conflict we are in the dilemma whether it is better to be a fool or a knave.

Other writers often mentioned in connection with Hedonism—*v.g.*, Paley, Bentham, Mill—are Utilitarians, not Hedonists. Their Utilitarianism, however, is built on Hedonism.

Besides the differences of Hedonists on the nature of the pleasure that constitutes our end, there are other differences amongst them, one of which differences will be prominent in this present chapter, when we come to make a formal criticism of Hedonism. It has been held by some (Psychological Hedonists) that pleasure is the only end which man is capable of desiring; by others (Ethical Hedonists) that pleasure is the only end which man *ought* to desire, although it is possible for him to desire other things.

We propose in this section to prove that pleasure is not even that which *ought* be man's sole end, and from this it will follow manifestly that pleasure is not man's only possible end.

Our proof that pleasure is not the only end which we "ought" to desire will consist in showing that pleasure is not our sole natural end. If we have other natural ends beside pleasure it is impossible that pleasure is the only end which ought be sought.

(*a*) Pleasure—Not the Sole Natural End of Desire

This proposition directly contradicts the fundamental assumption of all forms of Hedonism. A remarkable defence of this proposition—one of the subtlest passages in Scholastic Philosophy—is to be found in "Summa Contra Gentiles" (Book III., Chap. 26). The defence forms part of the series of arguments by which Aqûinas proves the thesis that the attainment of happiness (and

by happiness he means the attainment of our final natural end) consists in an act of intellect not of will. Now, since pleasure resides in the will, and is the principal act of will, some of the arguments by which Aquinas establishes his thesis consist in proving that the final natural end of man is not pleasure. It is these latter arguments that we shall here reproduce, and we shall take them in the following order :—

(1) Argument derived from the fact that the will's object or end is prior to the will's pleasure.

(2) Argument derived from the fact that the will's object or end is a thing distinct from the "rest" or quiescence that follows on the attainment of the object.

(3) Argument derived from the distinction between true and false pleasure.

(4) Argument derived from the equal or indifferent Ethical value of the means employed if pleasure were the final end.

(5) Argument from analogy of Nature's general use of pleasure as a means only.

AQUINAS' ARGUMENTS

I. Argument derived from the fact that *the will's object or end is prior to the will's pleasure.*

In this argument Aquinas proves that not only is pleasure not our sole natural end, but that it cannot be our primary end.

Every power that is moved to its act by objects is subject to the law that object precedes act as mover precedes movement, not necessarily in the order of time, but psychologically in the order of willing. To make our meaning plain we shall give some examples. The object of vision precedes the act of vision, not in time necessarily, but in the meaning given above—that is, we see the object before we know that we see it. Similarly we know the object of intellect *before* we understand the act of intellect.* Now, the will, like vision and

* "S. Theol.," I., Q. LXXXVII., Art. 3.

intellect, is moved to its act by objects. Therefore, the object of will precedes the act of the will, in the sense that the will must desire the object before it can desire its own act *in which pleasure is* contained. But the primary object of will is also its last end, since the primary object is sought for its own sake, which is our very definition of the final end.*

Therefore, far from pleasure being our sole natural end, we have shown that an object distinct from pleasure must be desired, before the desire for pleasure becomes possible, and this object is a natural object of desire. We may also infer that the final natural end of man cannot be pleasure, but something distinct from pleasure, since the final end must be the primary object of our desire.

This theory may be objected to by reasoning as follows:—A man may reflect on his own act and take the ends or objects of nature in any order he likes. Therefore, though in the order of nature we must first know or desire the object of a faculty before we can know or desire the pleasure attaching to the act of the faculty, we may, nevertheless, by this power of reflection which belongs to all knowing subjects, reverse the order of nature and make the act of desire or the pleasure of the act our principal and primary end. Hence pleasure can become our primary end.

The answer to this difficulty is to be found in argument 3 of the "Summa Contra Gentiles." It is as follows:—Such a reversal of the order of nature is, indeed, possible to man. But this fact in no way interferes with our thesis that the *primary and natural* object of the will is some good distinct from the will or any quality of the act of the will. The intellect, Aquinas tells us, in order to act—that is, in order to understand—must understand some object. And to know its act—that is, to know that it understands—would be quite impossible did it not first understand some object distinct

* Means are sought not for their own sake but as leading to the end, and they are sought always in a secondary and later act.

from its own act. And as the desire of the will from which our first pleasure is to result must be the desire of some object, therefore, the will, like the intellect, could not in its first act * desire its own act, or any condition or quality of its own act. Therefore, as pleasure is a quality of the will's act, pleasure cannot be our primary end. The first desire, then, must regard some object which is outside the will. This object will be the natural end of will. If later by reflexion we make pleasure our principal end, the object outside the will will still remain principal and final in the order of nature.

A few words on the limits of this power of reflection of which Aquinas speaks will not be out of place. An intellectual being is gifted with the full power of reflection on his own acts, and hence an intellectual being, having once had his first desire determined by some outer object, may, afterwards, completely break up the order of nature, make pleasure his principal end, and seek objects as means to pleasure. A man may, for instance, determine that to-morrow he will have a pleasant day, and then think out the objects that will best promote his pleasure. Still, the order that obtains in his first act will for the most part obtain in those subsequent acts which may be described as spontaneous, natural, and unreflecting. In such acts man's desire is mostly for objects, not for pleasure. The desire for pleasure comes from reflection. But *sense* does not enjoy this full power of reflection. Some senses, indeed, have no power of reflection whatsoever. The eye, for instance, cannot know that it sees. Nevertheless, even a pure sense-being like the dog or the horse can in some measure reflect upon itself, and so an animal may desire its

* And not only our first act of will but also all subsequent unreflecting acts have, as their object, something other than pleasure. This theory of Aquinas concerning the primary and natural object of the will is supported by many recent Ethicians, notably by Ed. von Hartmann in "Ethische Studien." "If we consider the will," he writes, page 136, "with its concrete and varied content, we shall find that the more instinctive, naive and unreflecting the will is, the less do pleasure and pain enter into our conscious ends. . . . . If pleasure and pain do result from action, they are only accidental bye-phenomena of the instinctive will, not essential factors in the content of conscious desire."

own pleasure. But the act of sense, like that of intellect, must primarily and fundamentally regard an outer object, and its first act in time must regard an outer object alone. The animal, as we have already pointed out, is first drawn to its food—not to the pleasure which food affords In the first movement of appetite the animal has not as yet experienced pleasure, and, therefore it could not desire pleasure. Now, the object of its first act is the fundamental natural object of the appetite. And hence the primary natural end of the sensuous appetites cannot be pleasure. But when experience has taught the animal that allied to food and other objects is pleasure, it may in all its future acts be drawn, not, indeed, to pleasure purely and simply (for sense is not, like intellect, analytic, and, therefore, it cannot separate in thought pleasure from the object), but to the whole experienced psychosis—object and imagined pleasure in one. What prominence the pleasure may assume in that whole complex object it is not easy to say; but all observation would lead us to the opinion that to the animal the object remains always principal, that the imagination of the hungry dog is fixed more on the food than on the pleasure which is to be got by eating, no matter how vivid its imagination of pleasure may be. Even in man when animal passion is at its strongest, and man is under the sway of sense, when, for instance, in his anger he seeks to revenge himself on an opponent, it is not the pleasure to come that most occupies his mind but the object or end which he wishes to attain. But intellect can analyse the sense psychosis and pursue the sense pleasure for its own sake.

It is not true, then, as some have stated, that pleasures cannot be imagined or pursued for their own sake. Pleasures may be sought both by animal and by man, but the seeking of pleasure is not the primary natural object of appetite whether sensuous or intellectual.

II. Argument derived from the *will's object as dis-*

tinct from the "rest" or quiescence that follows on the attainment of the end.

There are three possible acts of an appetitive faculty—love, desire, and pleasure. None of these can be either the primary end of the faculty or the final end (summum bonum) of man. Love and desire could not be the end because they are natural tendencies towards, and naturally progress into, pleasure. They are essentially relative. Pleasure, on the other hand, is the "*rest*"* *which follows on the attainment of the end.* It is the "quies appetitus in *bono possesso*"—in bono possesso (whether this possession be present actual possession, or only the recollection of possession in the past, or the imagination of a possession in the future). This rest that follows on attainment presupposes the attainment of the end desired.

The proposition that the primary end of the will is not the "rest" that results from the action of the will is only a particular case of the more universal statement that the "end" of movement is not the "rest" that supervenes on movement. The "end" of Physical movement is Place—not merely rest; Physical movement could not begin if *mere* rest were its end, for a body rests as much before starting as at the end. This is true also of the will's movement. Aquinas tells us that "if the *principal* aim of nature were to secure (the subjective state of) pleasure for the will (pleasure being the "rest" of the appetite in the attainment of a good desired) nature would never have given the inclination to the will" (that is, the inclination towards its end). This brings us once more to the conclusion that pleasure is not man's primary natural end.

III. The third argument is derived from the *distinction between true and false pleasures.* "Everything," writes Aquinas, "has the truth of its nature by having the constituents of its substance. For a real man differs

* It must be remembered that by *quies* or *rest* Aquinas does not mean mere cessation from movement or action, but rest in an end attained, and still possessed, and clung to (adhæsio).

from a painted man by the constituents of the substance of man." Now, pleasure is defined as the "rest of an appetite in the possession of a good," and, therefore, a true pleasure implies not only the "rest" of an appetite, but "rest" in a *true* good—these being the constituents of pleasure. Now, as *mere* states of the appetite—that is, as "mere rest"—all pleasures are equally true. All pleasures imply the repose of an appetite in something. Merely as a state of the appetite, as quiescence, the pleasure of drunkenness is as true as the pleasure of wisdom. But pleasures are distinguished as true or false according as the appetite rests in a true or a false good—that is, according as it rests in a good which leads to our final end, and, therefore, truly perfects our nature, or leads away from the final end, and, therefore, destroys our nature. The pleasure of drunkenness is a false pleasure, because the good of it is only apparent—*i.e.*, it leads to the loss of our final end, and consequently leads to our destruction. That of wisdom is a true pleasure because it leads to our final end and perfects us in relation to the final end. And as the final natural end of man is always and necessarily the true good, and excludes evil, it follows that pleasure, which may be either true or false, cannot be man's final end.*

The following analogy† may help us to understand Aquinas' distinction between true and false pleasures. All movement is, *as movement,* a real progress towards something. Still there is a distinction of real and apparent, or right and wrong progress according as it is or is not progress towards the particular end which we wish to attain. The man who while intending to go East by mistake goes West is not progressing truly. Hence, mere "movement" as such could not be the end of one who wishes to reach an end, since movement

* Aquinas goes on to show that the distinguishing of true from false pleasures belongs not to will but to intellect, from which he concludes not only that pleasure is not our final end, but that our final end consists in the good of the intellect. With this aspect of Aquinas' argument we have here nothing to do.

† The analogy is our own, not Aquinas'.

may not be true progress for such a person. So, also, "pleasure," or any other state or act of the appetite, cannot be the natural end or object of desire.

IV. The fourth argument is derived from *the equal or indifferent Ethical value of the means employed if pleasure were the final end.* Let us suppose for a moment that pleasure is the sole natural end, and that, therefore, the first law of nature is to seek for pleasure, making all other ends a means to pleasure. Under these circumstances a man would, in the exercise of a faculty, fully satisfy the claims of nature if he could succeed in sustaining the pleasure apart from the realisation of the object or objective end of the faculty. If, for instance, pleasure were the end of man, then a man would fully satisfy the intentions of nature by sustaining (were it possible) the pleasures of the stomach apart from eating; or sustaining the pleasure of the sexual faculty apart from the end of that faculty—the good of the race.* But the result would necessarily be starvation and death of the individual in the one case, and the disappearance of the race in the other—results that cannot be in accordance with the intentions of nature, since the clear purpose of nature is that we may live. Aquinas puts the argument very briefly: "If delight were the last end, it would be desirable of itself. But that is false, for it makes a difference what delight is desired, considering the object from which the delight ensues; for the delight which follows upon good and desirable activities is good

* We sometimes find Hedonism described as a low and brutal system of morals, because of the code to which it leads. It would lead, it is stated, to lying, fornication, &c., because in many cases these acts bring only pleasure, and they would, therefore, on the theory of Hedonism, be justifiable. To our mind there is always this difficulty in such arguments as these—that they take it for granted that our present code is the only right code, that lying or fornication cannot be good; a thing which the ethician really cannot take for granted, but ought to prove. But the true inner brutality of Hedonism is here brought out by Aquinas without any such illogical presuppositions. The only presupposition in the case (it can scarcely be called a presupposition) is that nature's end or intention cannot be the destruction of the race and of the individual. But to represent as justifiable the sustaining of the pleasures of our faculties apart from the realisation of their ends, must inevitably lead to the degradation and ruin of the race.

and desirable, but that which follows upon evil activities is evil and to be shunned. Delight, therefore, has its goodness and desirability from something beyond itself. Therefore, it is not the final end—happiness." *

V. Argument from *Nature's general use of pleasure as a means only.*

"The right order † of things coincides with the order of nature, for natural things are ordained to their end without mistakes. But in natural things delight is for activity, and not the other way about: for we see that nature has attached delight to those activities of animals which are manifestly ordained to necessary ends, as in the use of food, which is ordained to the preservation of the individual, and in the intercourse of the sexes, which is ordained to the preservation of the species: for if delight were not in attendance, animals would abstain from the aforesaid acts. It is impossible, therefore, for delight to be the final end." Briefly, if in the natural physical order pleasure is but a means, it cannot be more than means in the natural moral order. But it is plain that in the order of animal life pleasure is only a means to function. Hence pleasure cannot be man's final end.

We have said that pleasure is, in the order of nature, a means to function. But it is only in the case of sensitive and rational beings that function is promoted by pleasure, and even in their case the law holds only in regard to some functions. There are organic functions, such as those of plant life, the acts of growth of animals and men, and some of the acts of nutrition that are carried out entirely without the use of pleasure even as one of nature's means. Hence pleasure is not even an indispensable means to functioning. Much less could it be our end. And even when pleasure attaches as means to a function it does not always attach to what is principal, but often only to something which is itself a means to the principal function. Thus the pleasure of food attaches as a means not to the function of growth and

* "Happiness" here means object of happiness—summum bonum.
† From Father Rickaby's translation of "Summa Contra Gentiles."

nutrition, but to that which is only a means to growth and nutrition—namely, eating. It is, therefore, in the order of nature merely a means to a means.

The animal does not know that pleasure is but a means. But man knows that pleasure secured in this world is, in the order of nature, only a means, and that if we take the whole series of ends into account, it is a means to the final end; and his knowledge of this fact imposes on him an obligation of using pleasure in subordination to his final end as a rational being.

By these five arguments Aquinas establishes our thesis that pleasure cannot be man's sole natural end. On the contrary, that an object distinct from pleasure is also a natural end, that this object is prior to pleasure, and that an object and not a pleasure is the natural final end of man.

Some arguments of moderns in support of this doctrine will be noticed later.

(*b*) Some Arguments in Favour of Hedonism Examined

Psychological Hedonism and Ethical Hedonism

In the preceding section we gave the substance of Aquinas' refutation of the general theory that pleasure is man's final end. We will now discuss the case in favour of the Hedonistic theory, and we will consider this case chiefly as advocated in its two forms of Psychological and Ethical Hedonism.

Psychological Hedonism is the theory that pleasure is not only the natural end of man, but that it is the sole object of desire—the only thing that we are capable of desiring. It is, Mill tells us, because pleasure is the sole object of desire that we believe it to be a desirable end, and the only desirable end. "The only proof," writes Mill,* "capable of being given that an object is visible is that people actually see it. . . . In like manner,

* "Utilitarianism," Chapter IV.

I apprehend, the sole evidence it is possible to produce that anything is desirable is that people actually do desire it. . . . No reason can be given why the general happiness is desirable except that each person, so far as he believes it to be attainable, desires his own happiness." * Later in the same chapter Mill emphasises the fact that pleasure is the *sole* object of desire, and that if we desire other things it is because they are associated with pleasure or are part of pleasure. "The principle of Utility," he writes, "does not mean that any given pleasure, as music, for instance, or any given exemption from pain, as, for example, health, are to be looked upon as means to a collective something termed happiness, and to be desired on that account. They are desired and desirable in and for themselves; besides being means they are a part of the end. Virtue, according to the Utilitarian doctrine, is not *naturally* and *originally* part of the end, but it is capable of becoming so." Professor Rashdall also writes † :—"In the writings of Bentham and his followers the ethical doctrine that actions are right or wrong according as they do or do not tend to produce maximum pleasure is founded upon the psychological theory that as a matter of fact nothing is or can be desired except pleasure."

We now propose to criticise this theory by establishing three propositions which treat the question in its widest comprehension :—

(1) It is possible to desire pleasure.

(2) Pleasure is not the only possible object of desire.

(3) Pleasure is, however, a necessary condition of all desire.

(I.) *It is possible to desire pleasure.*

We have seen that *by reflection* upon our actions we can break up, in our thoughts, the order of nature and seek for the ends of nature in any order that we like.

* Mill here makes the transition from Psychological Hedonism to Utilitarianism. With this transition we have here no concern, but only with the theory that each man desires his own happiness.

† "Theory of Good and Evil," page 7.

Hence, though *in the order of nature,* object as distinct from will and pleasure, is our primary end, and happiness only a secondary end, we can by reflection and the power of analysis that belongs to intellect make happiness or pleasure a primary, though not the primary *natural* end of an act of the will. This is evident from consciousness. It is possible for any man to do a thing merely for the sake of the pleasure it affords him. A man may, for instance, determine to have a day's pleasure and then consider what objects will best promote his pleasure. Hence pleasure is a possible object of desire.

But the general principle that it is possible to desire pleasure although evidently true is not accepted without reservation by some Ethicians. Two exceptions are made to it by some writers who profess to prove that the desire for pleasure is absolutely impossible in the great majority of our acts—a theory which is extremely anti-Hedonistic, for if pleasure be an impossible object of desire in the great majority of our acts, then pleasure is not the only possible nor the only lawful object of desire. These two exceptions are based, one (*a*) on the nature of the will's deliberate choice between different pleasures, the other (*b*) on the self-defeating character of the desire for pleasure.

(*a*) The first of these exceptions is the theory of Professor Rashdall and others that where desire results from deliberation or choice (and most acts are acts of choice) it is impossible that pleasure should be the end of desire. For to choose amongst pleasures is to be determined by something other than pleasure, just as to choose between two men is to be determined by something other than humanity. (*b*) The second is the theory of Butler, who insists that pleasure cannot be a prominent end of desire, and that in most cases it cannot be an end at all, for to make pleasure the end would be to defeat the purpose of the desire. To desire pleasure would be to lose it. To attain pleasure there must be some other object of desire distinct from pleasure. This

inner self-contradiction of "desire for pleasure" is known as the Hedonistic Paradox. We will examine these two arguments.

(*a*) Professor Rashdall contends that that in which pleasures differ cannot be pleasure. We answer that this proposition can only be accepted with a distinction. That in which pleasures differ is not *pleasure* (in general), for all pleasures are contained in the genus pleasure. As *pleasure,* pleasures do not differ. But pleasures differ as *pleasures* * as *this* and *that* pleasure, and that in which they differ is a pleasure-difference. Colours do not differ as colour, since all colours are contained under the genus "colour," but they differ as this colour and that colour, or as colours. And the difference between them is a colour-difference—that is, it is not something distinct from colour. So also pleasures differ by a pleasure-element, by a greater or less in pleasure, or by some other pleasure-element. Hence, though in choosing between pleasures, our wills do not make the preference on the ground of pleasure (in general), they may still be moved by pleasures. And this is all that Mill as a Hedonist contends for. The will is not necessarily determined by "a collective something called pleasure," but it is determined by this or that pleasure or by pleasures.

(*b*) Pleasure, Butler tells us, so far from being the natural object of the will, disappears from us the moment we make it an object. Let a man, says Butler, in hunting, fix his mind on the pleasure which the race affords him, and, as if by magic, the pleasure vanishes. To feel pleasure in hunting we must pursue the quarry and fix our mind upon it and upon the scene around us, the horses, the race, the hallooing, upon anything in fact but that inner feeling of the mind called pleasure. To seek for pleasure is to lose it. This opposition between making pleasure our end and success in obtaining

* When we speak of pleasures (in the plural) we still refer to the subjective state of pleasure. Some writers when they speak of pleasures (in the plural) refer not to subjective states, but to pleasurable objects.

pleasure is known as the Hedonistic paradox. The obvious conclusion from it in reference to the question we are at present treating is that since it is certain that we do not in most of our acts defeat our own desire for pleasure, pleasure is not and cannot be the object of most of our acts.

This is an interesting theory, and deserves examination. Our view is that the desire for pleasure does not defeat itself, that it is quite possible for a man to *intend* pleasure—that is, make pleasure the end of his act, and still gain pleasure. A man may, to use Butler's own example, successfully make the hunt a means to pleasure—that is, he may determine upon having a day's pleasure, and select hunting as the best and most opportune way of securing it, and still derive pleasure from the hunt. But though we may in any act *intend* pleasure and attain it, still in some acts to *attend* to the pleasure we receive might make pleasure impossible, *for it might make the act impossible which gives us pleasure.* When the act which gives us pleasure is a complex one and requires all our attention for its proper performance it would be impossible for us to do the act as it ought be done, and attend to the pleasure it gives us. Simpler acts, like the beholding of a beautiful scene, the perception of a sweet perfume, &c., do not exclude attention to the pleasure they afford. Now, we believe that Butler, in his example of the hunt, confounded these two things—the *intending* of pleasure and *attention* to it at the moment of receiving it. The hunt is a complex act, and it requires the fullest attention of the individual. To attend to the pleasure of the hunt would of necessity prevent our hunting properly, for to hunt properly we must give all our attention to the objects around us. But, as we have said, a man may gain great pleasure from hunting even though he *intended* the pleasure principally and used the hunt as a means to pleasure.*

* We would direct the reader's attention to Spencer's strange criticism of the Hedonistic paradox. Butler's contention is that naturally we seek, not pleasure within us, but object outside us. The pleasure

It is not true, therefore, that in most acts to seek for pleasure would defeat its own end.

(II.) *Pleasure is not the sole possible object of desire.*

In the earlier pages of this chapter we gave Aquinas' proofs that pleasure is not our sole natural end. From this it follows that the will is capable of desiring other ends, other objects. Therefore, pleasure is not the sole object of desire.

We have also shown that pleasure is not the *primary* natural object of the will. The primary natural object of the will is, therefore, something other than pleasure, which is, therefore, not the sole object of desire.

Besides these arguments, derived *a priori* from the nature of the will and its object, an interesting *a posteriori* argument from experience has been used by Sidgwick, Rashdall, and other moderns to prove the proposition that pleasure is not the sole object of desire. These writers affirm that it is the clear teaching of experience that there are innumerable other objects of desire besides pleasure.

within arises from the pursuit of object without. Spencer maintains that the pleasure within arises not from something without, but from something within—*i.e.*, our own action. It is not the fox or the stag, he tells us, that gives us pleasure, but the pursuing of them. He writes—"Recognising, then, the truth that the pleasures of pursuit are much more those derived from the efficient use of means than those derived from the end itself, we see that the fundamental paradox of Hedonism disappears."

His criticism is, we maintain, irrelevant. To Butler it makes no difference whatsoever whether the pleasure arises from the fox or from the hunting of it. He merely contends that if you fix your mind upon the pleasure instead of upon the quarry or the hunting of it, the pleasure vanishes.

In the text we quote only one form of the Hedonistic paradox; but there are many other forms of it. For instance (*a*) Green maintains that pleasure arises in us from our attaining something that we desire. That, therefore, which is desired must be attained before pleasure ensues. Hence pleasure cannot be the object of desire. This argument is valid against Hedonism. It is the same as one of Aquinas' arguments. (*b*) Muirhead insists that though pleasure can move, it cannot be the object aimed at. "Let us admit," he writes, "for argument's sake that the idea of the course of action chosen—*v.g.*, by the martyr—gives him greater pleasure than the idea of any other course. But to make this admission is one thing, to contend that in choosing that course he chooses his own pleasure is quite another. Indeed, the one contention is exclusive of the other. If the pleasure that moves us be excited by the idea of an act, it cannot, at one and the same moment, be excited by the idea of pleasure. The idea of a pleasure may of course move us, but then

According to Professor Rashdall,* "no pleasures . . . are explicable on the hypothesis of psychological Hedonism except those of a purely sensual character and . . . æsthetic pleasures." As examples of desires which are not for pleasure he instances the avenging of a wrong and the relief of the sick. "It is not the representation of my being pleased in the future which makes the idea of the sick man relieved or of the wrong avenged pleasant to me and so moves my will; my desire is that the actual objective result shall be achieved." Also "hunger is neither a desire for the pleasure of eating, nor (in its less acute forms) a desire to avoid the pains of inanition; but it is not quite the same thing as a disinterested desire of food for food's sake. It is simply an impulse to eat." † He also claims that many of the desires of animals and of human infants are desires for objects other than pleasure.

Sidgwick also instances desires for other objects than pleasure. Thus, such acts as have for their end the mere Pursuit as opposed to the Attainment of something are

the pleasure becomes an object of desire, and must in turn excite a present pleasure. It follows then that the pleasure which moves (if it be pleasure which moves) *cannot be the pleasure aimed at.*" This recalls Leslie Stephen's remark, that "it is more accurate to say that my conduct is determined by the pleasantest judgment than to say it is determined by my judgment of what is pleasantest."

To answer Professor Muirhead we may, for clearness' sake, formulate his argument thus—Action x produces pleasure y. I form an idea a of action x, and this idea produces in my mind pleasure b. This pleasure b is quite distinct from pleasure y. The former attaches to idea a, the latter to action or end x. That which determines my will is not y but b, and b acts, not as final cause, but as efficient. Answer.—Plainly Professor Muirhead fails to see that the pleasure b which attaches to the idea a is only pleasure y anticipated, and represented in consciousness. An idea apart from the object it represents has no pleasure in it. The pleasure of an idea is only the mental representation of the pleasure which is to flow later on from the object realised. The will, therefore, may be drawn by a future pleasure now consciously represented. The fact that that pleasure has now to be represented in consciousness before it can become an end to the will does not mean that the future pleasure is not that which draws the will. Every end that draws us, through our minds, must first be represented in consciousness no matter how directly it draws us. Hence, though future pleasure must now be represented in idea, it is the future pleasure that is our end whenever we are moved by pleasure, and not the present idea or any quality or condition of it.

* "Theory of Good and Evil," Vol. I., page 18.

† *Ibid.*, page 24.

not as a rule directed to pleasure. "In such cases," he writes, "it is peculiarly easy to distinguish the desire of the object pursued from the desire of the pleasure of attaining it." * Again, whilst allowing for the possibility of *benevolent* actions being grounded in a desire for pleasure or of the averting of sympathetic pain, he yet insists that "the impulse to beneficent action produced in us by sympathy is often so much out of proportion to any actual consciousness of sympathetic pleasure and pain in ourselves that it would be paradoxical to regard this latter as the object." He also quotes with approval Lecky's statement that reflection on our moral consciousness seems to show that the "pleasure of virtue is one which can only be obtained on the express condition of its not being the object sought." The desire for posthumous fame he also regards as a desire for something other than pleasure.

Our own view is that taking, first, the case of adults, whilst it is always possible that pleasure may play a more important part in their desires than mere introspection is able to reveal, it seems, nevertheless, undoubtedly true that in some acts, like that of the angry man seeking to avenge himself, the dominant, if not the only, desire present seems to be a desire not for personal pleasure, but for the achievement of some object—in this case, the infliction of pain on an enemy. Acts of benevolence, too, seem to involve a desire for something other than our own pleasure.

But whatever may be said of adults it is certain that the first desires of animals and human infants are always for some object other than pleasure, for it is only after repeated action that the animal and the young infant are able to associate pleasure with certain actions, and to do these acts for the sake of pleasure. But these facts are not known to us by introspection or experience, but by *a priori* reasoning on the impossibility of these first desires being for pleasure.

* "Methods of Ethics," page 48.

The complete and satisfactory proof, then, that Pleasure is not the sole object of desire is *a priori* as we showed at the beginning of this chapter, but it is confirmed by the arguments from experience given above.

III. *Pleasure is a necessary condition of all desire.*

Pleasure is a condition of desire because we have shown that pleasure is the rest or quiescence which follows on the attainment of the object—that is, on the fulfilment of the desire. Every object of desire will, when attained, give rest to the appetite which desires it, and rest in the possession of a desired object is pleasure. Therefore, pleasure is a necessary consequence of the fulfilment of desire and a necessary condition of desire itself, so that it would be impossible for a man to desire a thing if he knew that it could not give him rest or pleasure. But though pleasure is a condition it is not (as we have shown) necessarily the object of all desires.

But it is well to remember that there is no object which we are absolutely unable to desire, for there is one appetite the object of which is *any good* or good in general—viz., the human will. Any object can in some sense or under some aspect respond to that appetite. And, therefore, we can seek any object for its own sake and without thought of the pleasure derived from it. Yet, even when we do not think of the pleasure, the element of pleasure will always remain an attendant condition of the object, because that object responds to the appetite, and is, therefore, capable of giving the appetite rest or quiescence.

The Hedonistic hysteron proteron. Bearing in mind what we have just proved, that all ends presuppose the capacity to please, we find it hard to agree with Professor Rashdall's argument against Psychological Hedonism, that instead of pleasure being always the cause of desire, desire is often the cause of pleasure.* "The Hedonistic Psychology," he writes, "involves

* "Theory of Good and Evil," page 15.

a hysteron proteron; it puts the cart before the horse. In reality the imagined pleasantness is created by the desire, not the desire by the imagined pleasantness." Professor Rashdall instances cases of the pleasures of knowledge and of benevolence. It is, he tells us, because I desire knowledge that I find it pleasant, and it is because I desire to see people happy that the disbursement of money becomes pleasant to me. I find knowledge and benevolence pleasant because I desire them. Now, with this statement we cannot agree. If an object is pleasant, it is pleasant to me not because I desire it, but because it either answers to a *disposition* in me or because it is a means to something that will answer to a disposition. We have in knowledge an instance of the first of these two kinds of objects. Knowledge answers a disposition or appetite in some men, and, therefore, do they desire it.* Benevolence is an example of the second. Disbursement of money is not desirable of itself. It is desirable only as a means to that which answers to the inner disposition of benevolence—viz., the happiness of others. But it is not the desire of disbursement which causes the pleasure of disbursement. The desire of disbursement itself arises from the fact that disbursement is a means to an end, which end suits the disposition of the benevolent man. And the pleasure of disbursement arises from the attaining of or moving towards that end. The desire to disburse money, therefore, is itself a result and not a cause. It is not the cause of the pleasure of benevolence. And hence these cases do not disprove the theory of Psychological Hedonism that desire is caused by the hope of pleasure. That theory, however, we claim to have disproved on other grounds.

In concluding our review of Psychological Hedonism we repeat that it is untrue; for pleasure is not the natural

* We speak now of the actual desire of knowledge. When the Hedonist speaks of desire being always for pleasure he means the actual desire, and not mere general liking. It is in this sense Prof. Rashdall must use the word if his argument is to be pertinent to his subject.

and original much less the sole object of desire. In the order of nature pleasure is never the primary end of an appetite. And if we consider the acts of an appetitive faculty in the order of time the first act in this order can *never* have pleasure for its direct object, because the desire for the pleasure-giving object must come before the desire for pleasure itself. But though pleasure is not the natural or first object of desire it may, to a being capable of reflecting on his own acts and conditions intellectually, become an object of desire, and similarly to a sensible being by associations of feeling. But no object can become an object of desire unless it be pleasure-giving in the sense of suiting some disposition or appetite, which *convenientia* is the objective condition of desire. But it is not that which we desire. To adopt an illustration from Aquinas—to be known, an object must first be knowable; but it is not its knowability that is known. So, also, to be desired, an object must answer to some disposition or appetite in a man, and be, therefore, pleasant, but the suitability and the pleasantness are not what we naturally desire.

ETHICAL HEDONISM

This theory is thus formulated by Professor James Seth * :—"Pleasure is the only thing desirable, though it is not the only object of desire; it is the only thing worth choosing, though it is not the only thing chosen." The theory of Ethical Hedonism, though formulated so simply, we have very great difficulty in understanding. For the question suggests itself—Do the "desirability" and the "worth" or "value" spoken of by Professor Seth *really* signify an Ethical desirability—a moral value, or is the value spoken of a psychological value—*i.e.*, a value which consists in the capability of an object to satisfy actual desire, as good foods, for instance, or health are things that are capable of satisfying appetite?

* "Ethical Principles," page 117. Professor Seth does not adopt the theory. On the contrary, he subjects it to a most searching criticism.

Perhaps the distinction might be better brought out thus—Do "desirable" and "worth choosing" signify, first, what one *ought* to desire, or secondly, "what a sensible or normal man, or what in their sensible moments all men *will* desire?" If the first (and the name "Ethical Hedonism" would lead us to believe the first is the true supposition), then the system is disproved by all that we have written to show that pleasure is not our *natural* end, for surely if we ought desire anything we ought desire our natural end. If the second, then it has been disproved by what we have said on Psychological Hedonism, for we have shown that not only will a sensible man desire other things than pleasure, but that nature itself has made us desire something other than pleasure. We will take this second meaning and discuss it. It seems to be the meaning in which Sidgwick understood the theory, and he states it for us as follows:—He says that though we may desire other things than pleasure, still, when we "sit down in a calm moment," the only thing that seems to have an absolute value for a man (he means—the only thing about which we feel we need not ask—what is it for?) is pleasure.* Now, we believe that this theory of Sidgwick's as thus formulated will not bear examination any more than the theory that pleasure is the only thing one can desire. It is quite true that we can always ask—"What is an object for?" "What is food for?" "What is eating for?" "Why I should bother about friends?" and that consequently the value of these things is relative to something else. But we contend that their value is not their conduciveness and pleasure, and consequently that pleasure is not what in a calm moment we always desire. For the very same questions which we ask concerning objects can be asked also about pleasures. The man who enjoyed his drink last night may ask to-day—

* "Methods," Book III., Chapter XIV.

Followers of Sidgwick may object to our calling his sense of "value" a psychological sense, but we believe that this is his meaning. At all events, we explain what we mean by "psychological."

"What good was that pleasure?" Pleasures, then, have not an absolute value any more than objects. There is just one pleasure about which we cannot rationally ask the question—"What is it for?" or "What good is it?"—viz., our final happiness. But neither can we rationally ask that question about the final objective good in the attainment and possession of which we shall attain to perfect happiness. These two ends, then, have an absolute value, and in a calm moment we must recognise this. Hence Aquinas' brief but weighty argument (in the article from which we have borrowed so much in the present chapter)—"It is a foolish thing to ask what pleasure is for, not because pleasure is our end (it is not our end), but because it is a concomitant of our final end" (and, therefore, is not to be regarded as mere means to something else). Here Aquinas is speaking of the *final* happiness of man.

We admit, however, that even when there is no question of the final end it would often be a meaningless thing to enquire what pleasures are for. Thus, if on being asked why we spend our time at Mathematics we answer—for our own pleasure, nobody insists on the further enquiry—and what is the pleasure of solving mathematical problems for? The pleasure in this case is simply the result of an end attained. But from the fact that pleasure in this case is not a means to anything it does not follow that it has an absolute value or that it is the end of our action. The waste steam of a locomotive is not a means to anything, yet it has no value and is not the end desired. Pleasure in this case is a necessary result of an end attained, but pleasure is not necessarily the end which we desire to attain.

And even if we grant that in such cases pleasure has an absolute value, if it is desirable on its own account, we contend that there are other objects also which are desirable on their own account, and are felt to have an absolute value even in our calmer moments. As we have already seen, before pleasure could become an object of desire, other objects distinct from pleasure must have

been objects of our desires, and they are desired for their own sake and not as means.*

To conclude our remarks on Ethical Hedonism—Ethical Hedonism, if it means the theory that pleasure ought to be desired in all our actions, has been disproved by all those arguments which show that pleasure is not our natural end. If, however, it means that pleasure is the only thing that a rational man *does* value, the theory is only another form of Psychological Hedonism, and it is disproved by all that we have said in the contravention of that theory.

(*c*) The Hedonistic Criterion of Good Examined

Pleasure not the ultimate criterion of the good

In the Hedonistic system pleasure fulfils two functions in regard to morality. First, it is represented as man's final end, and, therefore, as that through which acts are made good. Secondly, it is made the criterion of the good—that by which we know that an act is good. Of these functions the second is dependent on the first in the Hedonistic system. It is because pleasure is represented as our end—as that which makes actions good—that a resulting surplusage of pleasure over pain is made the test of goodness.

We have already criticised pleasure as the final end, and have shown that it is not the final end, from which it follows that acts are not good or bad merely through their pleasurable or painful consequences. We now go on to show that pleasure, or a surplusage of pleasure over pain, is not the criterion of the good. Our first argument in this connection should naturally be that since pleasure is not the sole natural object of desire it cannot be the primary criterion of the good. This point, however, we shall not develop further here since we have

* When a man answers the question, "Why do you do so-and-so?" with the reply, "I do it for the pleasure of it," he does not always mean that pleasure was an object of conscious desire, but only that he seeks the object for its own sake and not as a means to something else, or that such an object suits his dispositions and corresponds to an appetite within him.

already said so much on pleasure as our end. The point on which we shall most insist in favour of our thesis now is that, if pleasure were the ultimate criterion of the good, it would be necessary to predict pleasure as the consequence of an act in order to judge that the act might be moral. We should, therefore, be able to tell, at least in regard to most acts, whether the consequences will be pleasurable or painful—that is, whether their final resultant will be a surplusage of pleasure or of pain. But this, we contend, cannot be known except in very few cases. We conclude, therefore, that pleasure or a surplusage of pleasure over pain is not the ultimate criterion of the good.

This argument of ours demands fuller explanation and proof. We have said it would be necessary to predict the pleasure-result; it would be necessary to do this with certainty. Otherwise pleasure could not be the ultimate criterion; for the ultimate criterion is the ultimate test, and should be practicable and capable of being applied with certainty. But if the pleasure were uncertain, our test could not be applied with certainty.

Moreover, we say that it would be necessary not only to tell the surplusage of pleasure or pain in the case of a class of acts considered in general, but also to predict the consequences of each individual act, *in individuo et in concreto* considered in relation to the individualising circumstances. To illustrate this distinction we may take the example of murder or lying. The problem of telling the resultant pleasure or pain of murders or lies in general is quite a different problem from that of predicting the surplusage of pleasure or pain that will ultimately result from a particular murder or a particular lie.

Now, our statement that on Hedonistic principles it would be necessary to be able to predict the consequences of the *individual* act requires proof because it is in direct conflict with the teaching of certain Hedonists who say it is enough if they are able to tell the consequences of a line of action in general, for

example, of lying in general, or, which is practically the same thing, to tell what would happen if lying were generally allowed; and that they should not be expected to tell the consequences of the individual act, for example, of a particular individual lie. They hold that the individual man will be quite safe in following such general moral axioms (*axiomata media* they are called) as that lying and murder and stealing tend to bring pain rather than pleasure, and leaving the effects of the individual circumstances completely out of account.

Our case against this reading of Hedonism is as follows:—To the Hedonist pleasure is not merely the criterion of good—it is also the *cause* of good—that is, it is that through which acts are *constituted* good. An act is good according to the Hedonists because of the pleasure it yields. Now, just as no individual can be a man unless the nature humanity be in him individually (humanity being that which *constitutes* us men), and just as an individual object cannot be a tree unless fibres, sap, trunk be present in the individual (these being the things that constitute anything a tree), so if pleasure and pain be the constitutive element of morality, if what makes an act good is the pleasure it causes, then no individual act can be regarded as good unless individually it produces a surplusage of pleasure, and no individual act as bad unless individually it produces a surplusage of pain. Were pleasure and pain on the Hedonistic theory *mere Criteria* of morality we would allow that, since the tendency to pain which is characteristic of stealing in general or of most acts of stealing is a good general test of the morality even of this particular act of stealing, then this act is most probably bad, since it will probably bring pain. But since Hedonists regard pleasure and pain as more than a criterion, since they regard pleasure as the final end, and pleasure and pain as the very things that make an act good or bad, then if we are to determine truly the morality of a particular act we must determine the consequences of this act in particular, otherwise we should

not succeed in determining the morality of this act. And if it be found that a particular act of stealing or of lying produces pleasure only, or a surplusage of pleasure over pain, then no matter what may be the general tendency of stealing or lying, we do not know how a consistent Hedonist can say that this particular act of stealing is anything but good. To apply, therefore, to this case the principle that stealing in general leads to pain, and to neglect the fact that this particular act is certain (I suppose a case in which it is certain) to yield a surplusage of pleasure is inconsistent and illogical. It is illogical because it is inconsistent—inconsistent, that is, with the Hedonistic principle that pleasures and pains are what make acts good or bad.

We repeat, therefore, that if the Hedonist is to determine truly the morality of acts he is bound to determine the pleasurable or painful consequences of individual acts.

Having established our position that on the Hedonist theory it would be necessary to predict with certainty the pain or pleasure resulting from individual acts, we now return to the proof of the minor premiss of our argument—namely, that the pleasure results cannot be known except in a very few cases. Now, there are two methods of determining surplusage in order to fit pleasure to be a workable test, and it will be necessary to show that in both systems we fail to determine the resultant effect of action in terms of pleasure or of pain. First, there is the method of SIMPLE EXPERIENCE; secondly, there is the SCIENTIFIC method of discovering the cause of pleasure and deducing from this cause the pleasurable and painful results of action.

We shall first prove that SIMPLE EXPERIENCE or SIMPLE INTROSPECTION cannot yield us certainty on the pleasurable and painful effects of individual acts. Of this proposition the following are the proofs:—(1) Most feelings defy measurement altogether. The pleasure we get from telling the truth, for instance, is not a thing we can pick out in our consciousness in such a way as to

be able to determine and measure it. We can separate off heat and electric currents from the movements to which they are attached, and by which they are caused; we can examine these phenomena separately, and devise means for measuring them, but no similar separation and comparison for purposes of measurement can be made by our consciousness in the case of pleasures and pains. With most of our actions, whether good or bad, much of the pleasure may never rise into conscious notice at all, or at least to a degree which is calculable. On the other hand, where an action does produce intense pleasure or pain, the effect is as a rule so complicated and lawless that to trace it through all its ramifications and discover the resultant pleasure or pain is a sheer impossibility. (2) And if after much trouble the pleasures of an action could be traced there would still remain the difficulty of balancing the pleasures against the pains and saying on which side the advantage lay. The pleasures of some actions can, no doubt, be compared with the pains. I might know, for instance, that the pleasure of eating sweets would be more than counterbalanced by the pains of toothache, but if I tell a lie to save expense, and thereby lose the friendship of my neighbour, how am I to compare the pain of losing my friend with the pleasure of saving money. (3) There is no known standard by whch I am to know the quantitatively relative value of pleasures even amongst themselves. Thus, intensity and duration are often in inverse ratio, and how shall we compare the one element with the other in making our calculus of pleasures? (4) Most pleasures resist examination except in memory, and in memory it is difficult to recall intensity or, indeed, anything else that will afford much ground for calculation or comparison. Present pleasures are equally elusive. To examine them may even involve their disappearance, for enjoyment and present investigation of our feelings seem unable to go well together. (5) It is quite impossible to say where the line of pleasures connected with an act has its ending.

Who can say whether the pleasures and pains we experience as old men are or are not connected with our actions when young? The pleasures particularly that we may have lost by having followed out certain lines of action as opposed to others are never even roughly determinable. (6) Pleasures depend so much, not only on the act we do, and for which we can account, but also on our own humours for which we cannot account (that which pleases us to-day bringing us nothing but displeasure to-morrow), that anything like a fixed table of the pleasures of action would seem to be of its very nature impossible. (7) And pleasure depends not on our humours only, but also on the thousand and one accidents of life, a single incident often turning a pleasure into pain, a gain into a loss, and *vice versa*. If a chance barrier will turn aside the river from its course, how much more will slight things alter that which is far more sensitive than the river—the course of inner feelings—of pleasure and of pain. The pleasure and pain resultant, therefore, of individual acts is not determinable by the method of simple introspection or simple experience.

We now go on to show that the more *scientific* method * of determining pleasures by discovering the law or cause of pleasure is not more successful than the method just discussed under the name of simple experience. But before doing so it will be necessary to give a fuller description of this scientific method. The method is that of first determining the law or cause (in this case, the physiological cause) of pleasure, and then deducing from that cause or law the pleasurable or painful effects of an act. This is the method followed by Spencer † and the Evolutionary school generally.

* The use of this method has given to the particular kind of Hedonism now under discussion the name of Scientific Hedonism.

† "I conceive it to be the business of Moral Science," he writes, "to deduce from the laws of life and the conditions of existence what kinds of action necessarily tend to produce happiness and what kinds to produce unhappiness. Having done this its deductions are to be recognised as laws of conduct, and are to be conformed to, irrespective of a direct estimation of happiness or misery" ("Principles of Ethics," Vol. I., page 57).

These Ethicians differ amongst themselves on the question of what is the general law or cause of pleasure, but they agree that unless we can discover the cause of pleasure it is impossible to predict the effects of action with anything like scientific accuracy. Now, the law or cause of pleasure most commonly assigned by these philosophers is the *promotion of life*. Acts are pleasurable, they say, in proportion as they tend to promote vitality, painful in proportion as they tend to suppress vitality, and they add, in consequence, that we have but to determine the relation of an act to the vital principles within us in order to know whether it will produce a surplusage of pleasure over pain. It is to this form of the scientific method that we shall here direct our criticisms.

In criticism we say—

(1) The general "law" or cause of pleasure does not seem to promise very practical results in the determining of the pleasure effects—a point which will probably have suggested itself already to the reader. It seems to promise even less than the simple method of Hedonism explained above—the system, namely, of those Hedonists who rely on experience and common sense for guidance in the question of the calculus of pleasures. For it seems quite as difficult to say whether such an act as lying or stealing affects vitality well or ill, as to say whether it will produce pleasure or pain. Indeed, it seems to us that when Scientific Hedonists proceed to show that certain acts like lying and stealing suppress vitality, they make no small use, in coming to their conclusion, of the pleasurable or painful effects of these actions—that act will suppress vitality, they argue, which brings pain—so that it would seem that to determine the pleasurable and painful effects immediately from experience is even an easier thing than to determine whether an act promotes or suppresses vitality, and that the pleasurable effects are better known than the vital effects.

Of course there are some acts, like suicide, starvation, murder, neglect of one's children, which so evidently

concern life and health, that no rational man could have any doubt about their effect on vitality. But these cases are very few—they form a very small portion of the whole range of moral acts. Moreover, such examples as murder or the neglect of one's children cannot apply in the present instance, for the obvious decrease of vitality in these instances occurs in the persons acted on—the person murdered or the child neglected—rather than in the murderer or the negligent parent, whereas Hedonism judges of the morality of action not by its effect on others, but by the painful and pleasurable effects of an action on the person who performs the act.

(2) It is not easy to say how far, in the use of this scientific method, Hedonists pretend to be able to predict by means of their peculiar "law" or cause the pleasurable effects of *individual* acts. Leslie Stephen certainly confesses that a moralist is bound to take account of individual circumstances in determining morality, and to neglect to do so he calls "moral pedantry." Still we think that no Scientific Hedonist could ever hope to be able to tell the effect of an individual lie on the vitality of the liar, or of an act of stealing on the vitality of the robber. His bodily vitality is certainly not in the least affected by it, and his acuteness and strength of mind—that is, his mental vitality—are not impaired by the act in any way, and consequently it would seem that even the Scientific Hedonists are open to the same criticism that we have already applied to the direct method of simple Hedonism—namely, that it can only predict the *general tendency* of a line of action to produce certain effects, whereas a consistent Hedonist should, if his theory is to have any value, be able to predict the effect of the individual act, the morality of which he intends to explain and determine. But even when the Scientific Hedonist succeeds in predicting the general tendencies of a particular class of acts he does so, as we have already said, largely by the light of ordinary experience, and not by his *a priori* "cause" or "law."

(3) Even if we could determine what acts promote and what impair vitality, the question still remains—how far increase of vitality brings pleasure. A low bodily vitality certainly brings with it liability to pain, but intense bodily vitality—the vitality of a high nervous sensibility—renders one also liable to pain. A low mental vitality precludes the possibility of the higher interests and their pleasures. But very great mental vitality, in the sense of great mental acuteness and alertness is often a source of pain more than of pleasure.

In one sense only can we admit the general statement that increase of vitality brings pleasure—the sense, viz., that the natural development of the faculties according to the laws and requirements of organism must on the whole bring pleasure. But in this sense we make the "good" (the "good" being the development of our faculties towards the natural ends) the criterion of pleasure, not *vice versa*, whereas the aim of Hedonism, whether Empirical or Scientific, is to make pleasure the criterion of the good.*

We think, therefore, that "Scientific Hedonism" is not more promising either in its principles or its results than the theory of Empirical Hedonism which we have already rejected.

MILL'S DEFENCE OF HEDONISM. HIS THEORY OF QUALITATIVE DISTINCTIONS BETWEEN PLEASURES

One of the principal charges usually directed against the Hedonistic criterion is that, carried to its logical conclusions, it sanctions a low and brutal code of morality. To save it from this charge Mill introduced into his Hedonistic system the theory of a qualitative distinction between pleasures.

Pleasures, he contends, do not differ merely quantitatively—they differ also qualitatively. We may get as much pleasure (quantitatively regarded) from murder as from philanthropy, but the pleasures of philanthropy

* A fuller account of Scientific Hedonism and its defects can be found in Sidgwick's "Methods," page 177.

are of a far higher order than those of murder, and, therefore, they should be rated much higher in the calculus. A man pays more for one suit of clothes than for another,* though the two have the same weight; for one painting than another, though they represent the same labour; to hear one song rather than another, though the better singer may not have so loud a voice. So with pleasures—one may be quantitatively greater than another, and yet that other may be of a higher quality, so much higher as even to outbalance the quantitative difference. Hedonism, therefore, does not mean a "low" or a savage morality, since when qualitative differences are allowed for, the balance of pleasure will always be on the side of the higher act.

We must carefully examine Mill's contention, and for that purpose we shall ask two questions:—

(*a*) Are there such things in pleasures as distinctions of quality?

(*b*) If there are such distinctions can they be made the basis of a distinction of acts into Ethically higher and lower?

(*a*) *Are there distinctions of quality between pleasures?*

Opponents of Hedonism, and of Mill in particular, have denied the existence of any such distinctions. But we must, in fairness to Mill, admit that such distinctions exist. It should be perfectly plain to any man who gives this subject his honest attention that our pleasures differ very widely in quality. The pleasures of hearing, *e.g.*, are not the same as those of taste. The pleasures of smell are of various qualities, as various, indeed, as the odours themselves. In fact, the pleasure got from the scent of the rose need differ from that given by the scent of roast meat in one way only—that is, qualitatively; in intensity they may be both the same. Again, we often compare pleasures in respect of quality, and call one finer or more delicate than another, and, therefore, we have the clear testimony of our consciousness that pleasures differ in quality.

* The illustrations are our own.

Some maintain that differences which are spoken of as qualitative differences in pleasure are differences not in the pleasures themselves, properly speaking, but in the objects which give the pleasure—that it is impossible pleasures could differ *as pleasure,* since pleasure is the common element in all. Now, this theory seems to us to be founded on an ambiguity. There can be no doubt that pleasures differ not only as regards their objects but also as subjective states. But these subjective states differ not *as pleasure,* since pleasure is the common element in them, but *as pleasures,* just as colours differ not as colour (since "colour" is the common underlying conception in all of them), but as colours. But the difference between pleasures is a "pleasure difference," not a difference of something other than pleasure.

Hence, besides differences in objects of pleasure, there are also qualitative (pleasure) differences between pleasures themselves.*

(*b*) Our second question is—*Are qualitatively distinct pleasures to be divided off into higher and lower?* By higher and lower we mean ethically, not æsthetically, higher and lower. There is no difficulty in thinking of one pleasure as æsthetically more delicate and beautiful than another. But are pleasures capable of being formed into a regular *ethical* series, beginning at the lowest level of moral evil and rising up to the highest line of moral excellence? We will give an example of this Ethical gradation of pleasures. If murder is bad, and if the pleasure I get from it be intense, then it is plain that, on Hedonistic lines, in order to make up for this excess in quantity, the pleasure of murder must be low down qualitatively in the scale of pleasures, else murder would be, not bad, but good. If there be no such series it will be useless to speak of

* Prof. Seth maintains that qualitative differences can be resolved into quantitative if we take into account the nature of the person who experiences the pleasure. "For the higher nature," he says, "the higher pleasure is also the more intense pleasure" ("Ethical Principles," page 125).

qualitative distinctions in pleasures as a means to distinguishing the moral qualities of actions.

The first dfficulty that we meet if we try to construct an Ethical series of pleasures is that pleasures as pleasures cannot be divided off into good and bad. *Pleasures as pleasures* considered out of relation to anything else have no Ethical or moral character. No pleasure is bad in itself—*i.e.*, no pleasure is bad as pleasure. Some pleasures are bad because the acts of the will to which they are attached are bad, and the reason why it is wrong to seek certain pleasures is not because the pleasurable feeling is bad in itself, but because the pleasurable feeling is attendant on an act which is bad. There would, therefore, be no difficulty whatsoever in constructing a scale of pleasures arranged in order of Ethically higher and lower, in a system of Ethics which is not Hedonistic, for, having in such a system arranged the *actions* in an Ethical series, we might then arrange the pleasures of these acts in a corresponding series. But how is the Hedonist to arrange his scale of pleasures? It is by the scale of pleasures that he must determine the morality of acts, and, therefore, it is not open to him to arrange his pleasures in a scale which itself depends upon the morality of acts. There is, therefore, nothing left for him but to arrange the scale of pleasures by something in the pleasures themselves. But since pleasures as pleasures are morally neutral this is impossible.

Now, this proposition that pleasures as such, and without reference to anything else, are morally indifferent will not be accepted by Hedonists who hold that all pleasure is morally good, and, therefore, we proceed to a second difficulty which we think the Hedonists must recognise—namely, that even if all pleasures are morally good, Hedonists cannot point to anything which those pleasures contain in themselves—that is, apart from the acts to which they are attached—sufficient to grade the pleasures in an Ethical series of high and low.

Two kinds of tests seem possible. One is to regard those pleasures as higher that belong to the higher faculty, intellectual pleasures being higher than those of sense, the pleasures of the so-called æsthetic senses, like those of sight and hearing, being higher than those of touch, &c. The other is the criterion of human testimony.

The first is suggested to us by Mill's contention that a man had rather be a man dissatisfied than a pig satisfied, the reason being that a small intellectual satisfaction is much greater than a great sense satisfaction. But this method of gradation we cannot accept, because pleasures of intellect are often much worse morally than those of sense, and those of sense worse than those of the vegetative faculties.*

To rejoice at the downfall of one's neighbour is a purely intellectual pleasure, whilst to feel the warmth of a summer breeze is sensuous. But surely this latter pleasure is better than the pleasure of hatred. On the other hand, to look upon obscenity is an act of the senses; whilst to eat is an act of the vegetative faculty, and surely the latter is the better of the two. An act, therefore, is not better because it proceeds from the higher faculty, and consequently the pleasures of the higher faculty are not necessarily better than those of the lower.

The second test is explicitly proposed by Mill himself. When men, he says, prefer certain pleasures to certain others as a rule, that is a sign that these latter pleasures are Ethically lower. This seems to be the ultimate test according to Mill—the testimony of "those that know." On this test of gradation in pleasure we would make three remarks. First, Mill maintains that it is only those that have experience of differences in quantity and quality of pleasure that are capable of judging in this

* We might for Ethical purposes, as we have already shown, regard intellect *as of more importance* in the organism than sense, and sense than the vegetative faculty, and we might make use of this comparison in determining morality; but they are not in themselves morally better or worse the one than the other.

matter. But, granting for the moment that experience can tell a man which of two acts will bring him the greater pleasure, still we maintain that experience cannot tell him which of these two pleasures, the greater or the lesser, is the higher. There is only one way by which even the initiated and experienced can tell what pleasures are higher, and that way is by having a fixed standard of higher and lower with which to compare the pleasures as they come. But that is the very standard for which we are looking, and until it can be provided Hedonism must fail as an Ethical criterion. Secondly, if those who are capable of judging do actually distinguish between the higher and the lower, it is not directly in reference to pleasures that such distinctions are made, but rather in reference to the acts to which those pleasures are attached. Men know the pleasures of benevolence to be higher than those of drinking beer, because they know that acts of benevolence are higher than the act of drinking beer. If, then, men do prefer some courses to others it is because they are persuaded that certain acts are bad and others good, and the pleasures of the first class of acts they regard as bad and the pleasures of the other as good, and in the same degree as the acts to which the pleasures are attached are bad and good. Thirdly, who, on Mill's theory, are the *experienced* and *they that know?* for it is important that we should be informed who are the appointed judges of what is good or bad for us. Mill himself tells us that as men grow older they become more selfish, and that consequently it is to youth we must look for these moral preferences on which to frame the moral law. But why should the practice of the old and selfish be put aside, and that of the young and spirited be made the moral standard except that already the selfish has been made the lower pleasure and the spirited and generous the higher? But spirited generosity is not the Hedonistic basis of morals. On the other hand, if the old are included amongst the judges, their principal qualification as judges will be their experience, and if experi-

ence is a qualification in the construction of the pleasure scale, the best judges must be the gourmands and the gouty who have tried and compared all pleasures in quantity and in quality and found some wanting and others commendable. The best judge of a road is, *ceteris paribus,* the man who has walked over it; and in the same way the best judge of what is pleasant should be the man who, in the matter of pleasure, has taken nothing on faith, but conscientiously tried all pleasures in turn. This means making the opinion of bad men the proper standard of "good" and "evil," which would be most objectionable in practice. Again, in this matter we must, as Ethicians, be prepared to reckon with those who like to judge for themselves about right and wrong; and it would be a hard thing if we should say to them—"Thus have your fathers judged. It was for them to taste pleasures and examine them. It is for you to submit to their decision." Indeed, if pleasure be the moral criterion, then it is certain that most people will like to taste and judge for themselves; and we do not know on what principle of Hedonism one could rationally prevent them. But if we do allow them to taste and judge for themselves we are certainly making crime a necessary condition of virtue.

In conclusion, therefore, we summarise our position by saying that pleasures may differ qualitatively, but that to divide them into Ethically higher and lower we need a theory of Ethics other than the Hedonistic.*

* To the arguments stated above we may add a consideration of some importance, that the law that would bind us always to follow the higher pleasure in preference to the lower is a superhuman law. Most men are bound to no more than the good ethically; that is, no man is bound to the highest or the best. On Mill's theory every man would be bound to follow the higher pleasure in the presence of a lower. He would, consequently, be always bound to the best.

CHAPTER XI

ON UTILITARIANISM

"We live in the midst of a multitude of beings like ourselves upon whose happiness most of our actions exert some obvious and decisive influence. The regulation of this influence is the object of moral science."—*Shelley.*

(*a*) Definition

Utilitarianism or Universalistic Hedonism may be defined as the theory that the happiness of mankind at large constitutes the ultimate end of the individual man, and that consequently those actions are to be regarded as right and good which promote that happiness, and those actions as wrong and bad which tend to produce the reverse of that happiness. We adopt this definition because it represents the commonest form of the theory of Utilitarianism.

We are not unaware that some modern Utilitarians make the *well-being* of Society, not its happiness, the end of the individual. In other words, there are Utilitarians who are not Hedonists. Although these are technically outside our definition we draw the reader's attention to them here,* first, for completeness; secondly, because their system is confuted by the argument which we draw in the present chapter from the fact that the individual is not wholly subordinate to society, which

* Many of these non-Hedonistic Utilitarians belong to the Evolutionist school of Ethicians, and their theories are criticised in our chapter on Evolutionist Ethics. Green's is, perhaps, the most prominent example in recent times of non-Hedonistic Utilitarian systems.

is one of our two main objections to Utilitarianism in general, whether Hedonistic or otherwise. Our other chief objection to Utilitarianism—that it makes happiness our sole natural end—can, of course, refer to Hedonistic Utilitarianism alone.

Moreover, we have grouped together in the present chapter all theories of Hedonistic Utilitarianism, although they are many and of great diversity—for instance, Bentham's and Mill's theory that that act is good which gives the greatest pleasure to the greatest number of sentient beings; Cumberland's theory that the pleasure of human Society is the only end; Comte's and Fichte's theory of pure altruism that the end of the individual is the happiness of all other men exclusive of his own, regard to one's self being considered in this system, if not bad, at least un-moral. We even include in our account that very modified form of altruism advocated by Shaftesbury that "the natural predominance of benevolence is good and the subjection of selfishness is virtue." Of these different forms of Utilitarianism it would be impossible for us to take separate account. Nor is it necessary that we should do so; for, if we shall succeed in showing that the end of man is not the happiness or well-being of Society, we shall have removed what is fundamental in every form of Utilitarianism, and then these separate systems fall of themselves.

(*b*) Utilitarianism—How far True

Like most false ethical theories, Utilitarianism is not all wrong. It is wrong in so far as it makes the general happiness the sole end of man, thereby completely subordinating the individual to society. Now, that the sole end of man is not his own happiness we have shown in the preceding chapter; and almost all the arguments there used might be applied equally well here to prove that our end as individuals cannot be the happiness of the race. But, in the present chapter, we must supple-

ment those arguments by others that are proper to the theory of Utilitarianism. That man is not wholly subordinated to society it will be our business also to establish.

But Utilitarianism asserts many things that are true, and amongst these are two salient doctrines that are of paramount importance in Ethics. One is that man has a very special duty of Benevolence towards his fellow-men, a duty which is certainly as important as many of his special duties towards himself. Another is that the general welfare is in some sense a genuine criterion of moral good. A word on each of these.

"Man," says Aquinas, "is not wholly political" or social. But neither is man wholly individual. We are by nature a part of society. Without society we could not develop, and development is a natural need of man. Hence, Society is a natural necessity, and we have a natural duty to promote its welfare. What that duty is, and how far it extends, we shall see in the second portion of this work. At present we may say that our duty to our fellow-man occupies a very large portion of our moral life, but it is not the whole of that life.

The second truth of Utilitarianism is also of importance in a Science of Ethics—namely, that the general good is a genuine *criterion* of the morality of human acts. It will be remembered that amongst our secondary criteria of morality, that on which we laid the greatest stress, had reference, like the Utilitarian theory, to the happiness or misery of Society. We showed that an act is good if, on being raised to a general rule of conduct, it benefits—bad, if it injures—the human race; and though these racial effects are not the primary criterion of morals, they afford us a genuine secondary criterion, and one much used in practical life.

These are the principal elements of truth in Utilitarianism. But Utilitarianism does not stop at these. It represents the common good not merely as *one* end for the individual, but as the *sole* and all-embracing end. It makes man *wholly* subject to Society. Also, it

represents the general happiness, not as a secondary criterion of morality, but as the only or the *fundamental* criterion.

In the two following sections we hope to disprove these two assumptions by showing, first, that the general happiness of Society is not the final end of the individual; secondly, that the general happiness cannot be the sole or even the primary criterion of good action.

(c) Disproof of the Theory of Utilitarianism that the General Happiness is Man's Final End

(1) Our first argument is that *happiness* is not our final end—neither the happiness of the individual nor the happiness of the race. This has been abundantly proved already in our chapter on Hedonism; for of those arguments which we quoted from Aquinas to disprove Hedonism many are proofs that happiness (not the happiness of the individual, but *happiness simply*) is not our final end, which arguments, therefore, tell equally well against Utilitarianism as against Hedonism. They need not be repeated here.

(2) Our second argument in proof of the proposition that neither the happiness nor the well-being of Society can be the final end of the individual is that which we have already proved—that all men are ordained to a common end other than mere Society,* an end which is above us all and above Society—namely, the Infinite Good. It may not be out of place to repeat here our proof of this proposition. The final natural end of anything is the highest end which is attainable by its highest

* This argument is given by Aquinas in answer to an objection:—"Ultimus finis cujuslibet rei," he objects, "est in suo opere perfecto, unde pars est propter totum sicut propter finem. Sed tota universitas creaturarum . . . comparatur ad hominem . . . sicut perfectum ad imperfectum: ergo beatitudo (in sense of final end) hominis consistit in tota universitate creaturarum." To which he replies:—"Si totum aliquod non sit ultimus finis sed ordinetur ad finem ulteriorem, ultimus finis partis non est ipsum totum sed aliquid aliud: universitas autem creaturarum, ad quam comparatur homo ut pars ad totum, non est finis ultimus, sed ordinatur in Deum sicut in ultimum finem; unde bonum universi non est ultimus finis hominis, sed ipse Deus" ("S. Theol.," I., II., Q. II., Art. 8).

capacity, or the adequate object of its highest capacity. Thus, the final natural end of a tree cannot be mere growth, because the tree has other higher capacities than growth—for instance, the capacities of bearing fruit and flower and seed. The highest act of a tree will be its final end. Now, applying this principle to man (the principle, namely, that the final end of anything is that end which answers to its highest capacity), we find that no finite thing can be our final end, for no finite thing can satisfy our highest appetite—that is, our will, which is capable of desiring the perfect or Infinite Good. The Infinite Good, therefore, is the final end of all men, and of the Society of men. Society and the happiness of Society are finite things, and, therefore, the happiness of Society or its welfare cannot be our final end.

But though Society and its happiness or welfare are not man's final end, still we may repeat that man is to some extent subordinate to Society, and that he has important duties towards Society, duties of promoting the happiness of Society. In other words, the happiness of Society, though it is not man's final end, is yet *an end*, and a necessary end, which each individual man is under an obligation to promote according to his opportunities and his position in Society.

(3) That which is naturally destined to attain or promote any end is means to that end. But a *free person* could not be mere means to that end in reference to which he is free; and as man is free in reference to Society he cannot be regarded as mere means to Society, and hence Society is not his final end.

(4) The natural well-being of anything depends upon the attaining of its ultimate end. But the individual well-being is to a large extent independent of the race; for even if the rest of the race were perfectly happy, still the individual, even though he were to devote himself to promoting the social well-being, might, from a variety of natural causes, be very miserable and imperfect, and therefore his end must be something other than the mere good of the race.

(5) Another argument which, like that just given, depends upon a former argument,* but which yet emphasises a distinct quality in natural morality, is the following:—*The natural end of a man's actions consists in something that must of necessity be actually attained if the proper means be taken.* A tree, for instance, will reach its final end—viz., it will come to leaf and flower if all the natural means be taken to that effect, and all the natural and necessary conditions be fulfilled—*e.g.*, if it get air enough, light enough, moisture enough, &c. But no action of men towards one another, or towards Society at large, will ever make Society perfectly happy, since there will always be something to be desired by Society other than the good will or good services of men. If no finite good can satisfy the individual, *a fortiori* no finite good can satisfy Society. No means, therefore, that individuals can take will secure the final happiness of Society. Therefore, the happiness of Society cannot be our natural end.

(6) If the happiness of Society be our end, then our final end is to be attained here below.† We have shown that this is impossible ‡—that every condition or distinguishing mark of the final end is wanting here below. First, the goods of this life cannot fill up the capacity of our will (quietare appetitum). Secondly, they cannot be enjoyed without much accompanying evil. Thirdly, once possessed we are not sure of retaining them. They may go from us at any moment. For these reasons no good of this world can be our final end, for no good of this world can fill up the measure of our natural

* We think it only fair to call the attention of the reader to the fact that, if thoroughly examined, arguments 3, 4, and 5 will be found to throw us logically back on the argument that all men and all Society are ordained to a common end beyond Society—namely, the infinite good. (This is given in 2 above.)

† Hedonists sometimes claim that a man's end lies in the "hereafter," but Utilitarians make no such claim. According to Utilitarians, our end is to be attained on earth. Society, of course, may continue to be a human necessity in heaven, but Utilitarians generally do not contemplate such a thing. For the Utilitarian, Society means the society of men here below.

‡ Chapter 3.

capacities, and give that absolute rest (quies) to our appetites which is essential to the last end. But the happiness of Society is an earthly thing; it is finite, and leaves much still to be desired by our wills—that is, leaves our capacities unfilled; it is subject to evil, for on this earth there will always be evil; also, it is uncertain and unstable. It cannot, therefore, be our final end.

(7) There seems to be a strong belief even amongst Utilitarians that it would be illogical to accept the view that our end is the general happiness unless there be some proof that this is our end. "It is important to observe," writes Sidgwick,* "that the principle of aiming at Universal happiness is more genuinely felt to require some proof, or at least (as Mill puts it) some considerations determining the mind to accept it, than the Principle of aiming at one's own happiness." If the individual man is free, if he is to a large extent independent of Society, if he is capable of desiring much more, and can only be satisfied with much more than Society is ever capable of giving him, if the happiness of Society cannot satisfy him, if, finally, Society, whilst it accepts his services, will not bear any of the responsibilities of his wrong-doing, then it seems quite rational that the individual man should have a right to ask what proof there is that the good of Society is his sole final end, and what proof that he is bound to make such personal sacrifices for Society as this doctrine of Utilitarianism entails. Now, we submit that this theory has not been proved. And in support of our contention we shall, in the second portion of this chapter,† set forth and examine the chief arguments advanced by Utilitarians in defence of their theories. Meanwhile, we shall examine the Utilitarian theory from a second point of view—that, namely, of its criterion and its practicability as a science of right living.

* "Methods," page 418.
† Section (*e*).

(*d*) Utilitarianism an Impracticable and Impossible Criterion of Morality

Having seen that the happiness or welfare of Society is not our final end, we now go on to show that, even if the happiness of Society were our end, we could not determine with any degree of accuracy what acts would lead thereto, and that, therefore, Utilitarianism is not a practical or possible criterion of right and wrong. This argument need not be drawn out to any length, since we have already prepared the way for it in our chapter on Hedonism.

The difficulty of applying the Utilitarian criterion to actual practice turns principally on the fact that on the Utilitarian theory we have to determine quantity of pleasure or of welfare before we can judge of the morality of actions; and this proposition that the Utilitarian must determine quantity of pain or pleasure is inferred from another proposition—viz., that an Ethical theory that judges by effects merely must determine such quantity.* Now, in a theory that determines morality by consequences the necessity of quantitatively determining effects must always arise, because our acts have often most opposed consequences, some pleasant, some painful, which it is necessary to compare and reduce to a resultant in order to know on which side the balance is—on that of pleasure or that of pain, of welfare or of injury. The great difficulty of the Utilitarian theory is the difficulty of determining these consequences.

Concerning this difficulty of determining the consequences of action we have already spoken in our chapter on Hedonism. We there showed the impossibility of calculating the pleasures and the pains which actions bring to the doer of the action, or of comparing these pleasures and pains with one another, so as to obtain the resultant feeling in case we did succeed in summing them separately. The difficulties arising are many. If

* That Utilitarianism judges morality by effects merely is evident from the very definition of Utilitarianism.

the method followed be the *a posteriori* method of experience and common sense then there is (1) the difficulty of measuring any feeling except the most intense, (2) the difficulty of knowing all the feelings which result from actions, (3) of balancing pleasures against pains, (4) of comparing pleasures with one another so as to obtain a sum of pleasures, (5) of examining present pleasures or fully recalling remembered ones, (6) of saying how far into our lives the influence of our early acts extend and consequently of determining all the pleasures and pains these acts produce, (7) of determining how far our pleasures and our pains depend on our humours and character, and (8) on the accidents of life.

On the other hand, if the method followed be *a priori*, or what we have called the *scientific* method—the method, that is, of deducing the pleasure and pain-results from some theory of the cause or law of pleasure, then we have the insuperable difficulty already referred to of determining the cause of pleasure, and of knowing, even if we should succeed in determining the cause of pleasure, when and in what cases this cause is realised.

Now, if all these are difficulties against the possibility of calculating the pleasures and pains experienced by the individual man, the difficulties of determining the pleasures and pains which actions produce in Society at large must be very much greater. To examine our own feelings is difficult, but to examine the feelings of other people is more difficult still. Equally difficult is the task of comparing the pleasures which an act produces in some with the pains which it brings to others, and of determining the resultant of these pleasures and pains. If, then, Hedonism fails as a criterion of conduct, Utilitarianism fails still more signally. Indeed, it is only when we take up for consideration some particular action, and try to determine practically its consequences on Society, that we really come to understand the utter impossibility of using the Utilitarian criterion in the drawing up of a moral code.

But, as in the case of Hedonism so also in the case of Utilitarianism, there are some who claim that the difficulty of determining the consequences of action is imaginary, since it depends on the false supposition that it is necessary to predict the effect of an action taken *in individuo et in concreto*, whereas it is only necessary to determine the tendency of a line of action in general, and apart from individual circumstances, or, which is the same thing, to determine what would actually happen if such a line of action were allowed in general. This theory is defended by Whewell, Paley, and many other Utilitarians.

Now, we showed in our chapter on Hedonism that a theory that regards the goodness and badness of acts as *constituted* by the consequences of these acts cannot logically ignore the effects of the *particular* act. And since, according to Utilitarianism, moral good and evil are constituted by the consequences of acts, Utilitarianism must take account of the particular as well as the general consequences—that is, of the *actual* effect of this individual act on Society in a particular case, as well as of the general tendency of such acts to affect Society well or ill, or of the effects that would follow if an act were generally allowed. Consequently, the difficulty of predicting the effects of individual acts applies in the case of Utilitarianism, and hence we cannot regard the criterion of Utilitarianism as a practical or reliable criterion of the morality of acts.*

But, now, let us for the moment suppose that the diffi-

* Some curious results will be obtained by the consistent Utilitarian who logically works out particular cases by *actual results* to Society, not by general rules. For instance, granted, as proved above, that a consistent Utilitarian must judge in particular cases by actual results, not by general rules or tendencies, what, following the Utilitarian theory, is a man to do who feels that he can steal from another without doing injury to Society? The owner will, of course, suffer some unhappiness in the loss of his money, but the robber gains equally in happiness by acquiring the money, and if he be a poor man his gain in happiness will more than counterbalance the actual pain experienced by the rightful owner. Is the act of stealing lawful in this case? If an act be lawful or unlawful because of the pleasure or pain it brings to Society, then since in this case the happiness that is lost in one part of society is gained in another, it would seem that the effect on Society as a whole is

culty of determining the consequences, whether particular or general, has been overcome, and that we can predict these consequences with absolute precision. There will still remain one (to our mind) insuperable difficulty in regard to the use of the Utilitarian criterion—namely, the difficulty of its consistent application to moral cases, where the particular and the general consequences are opposed. We shall explain this difficulty by an example. Let us suppose a case of murder, which, on account of the individual circumstances, is certain to bring a surplusage of happiness to the race at large (the supposition is quite possible in the case of persons suffering from certain contagious diseases, whose death, therefore, would relieve Society of much apprehension and much evil of every kind). Now, we take it that no Utilitarian would regard such an act as lawful or good, and his plea for not allowing it is that, in judging the morality of an act, we should take account not of the particular but of the general effects—that is, not the effects of this particular act in these particular circumstances, but the general tendency of such acts in regard to Society. And we shall allow this argumentation to stand for the moment. But if this be the law of procedure with regard to the case of con-

nil, and that, so, the act is neither good nor bad but indifferent, and therefore morally allowable.

This consideration (we do not call it an *argument*, for, as we said before, we do not regard it as either a proof or a disproof of any theory of morals to show that it is consistent or inconsistent with our code) may be answered by the Utilitarian saying that the general good could not possibly be promoted unless there were a *law of distribution* of happiness, and the first requisite of proper distribution is that each man be given and allowed to enjoy "his own" (Cuique suum), and that therefore, though the case of Moral jugglery we have just given raises difficulties for a Utilitarianism of our own making, it raises none for a genuine theory of Utilitarianism which postulates such a law. Still we submit that this Utilitarian reply is not altogether satisfactory. For we grant that on the Utilitarian theory there should be a general law of Distribution—a law to give each his own, if the general good is to be forwarded. But, nevertheless, we conceive a case of some individual coming to the Utilitarian in the quiet of his study and claiming to be allowed *in this particular case* to increase the sum of general happiness by stealing from his rich master, and on Utilitarian principles we do not know how such a man can be prevented from stealing.

On this same problem the reader might refer to our account of Spencer's theory, page 397.

tagious diseases, the Utilitarian must adopt the very same law of procedure with regard to every other kind of evil. Now, lying, all would admit, tends in general to bring evil consequences to the race. But let us suppose that a Statesman by telling a lie could save the world from all the horrors of an international war, is he on the Utilitarian theory free morally to tell a lie and save the world from certain universal unhappiness? A consistent Utilitarian should answer "No," since in the case of leprosy and murder it was the general and not the particular consequences that determined the morality of the act, and, as in these cases, so also in the case of lying, the general consequences are hurtful to Society. We believe, however, that Utilitarians generally would in this case of lying judge by the particular consequences only, and would not only allow the lie, but even regard it as morally necessary. But what, then, about the general tendency of lying? Is not the "general tendency" in this case thrown to the winds, and are not the actual effects of the act in the circumstances made the binding rule of conduct? But this act is an exception, it will be said. So, we answer, was the other act an exception, and so is every act an exception in which the general tendency is negatived by the actual circumstances of the case. And if we are bound to judge by the actual effects in this case, so must we judge in every case if we would be consistent Utilitarians.

This difficulty of consistency in the application of the criterion of Utilitarianism seems to us to be inseparable from the theory of Utilitarianism, and is by itself alone convincing proof of the all-round unworkability of Utilitarianism as an Ethical system.

(*e*) Consideration of the Arguments for the Utilitarian Theory that the Final End of the Individual is the Happiness or Welfare of Society

In a previous section we showed that the happiness or well-being of Society is not man's final natural end;

and we promised, towards the close of that section, to take up for consideration, later on in the present chapter, the opposing arguments of the Utilitarians. This promise we now propose to fulfil.

The arguments of the Utilitarians may be divided as follows:—First, that derived from Psychology, that in man there are *original benevolent impulses*; secondly, argument drawn from *Hedonism,* that the law of seeking our own good includes the law of seeking the good of all; thirdly, argument drawn from the fact that the moral law is "*categorical and objective,*" and, therefore, that it concerns the good of the whole race, not a mere part; fourthly, argument drawn from the *common conception* of Morals, which, it is contended, identifies "good" with "universal happiness"; fifthly, argument drawn from *Pragmatism,* that Utilitarianism as a moral theory is found to work; sixthly, argument drawn from the theory of the "*solidarity of Society,*" the theory, viz., that the individual is nothing apart from Society, and is indebted to Society for all that he is and has; seventhly, argument drawn from the necessity of Utilitarianism to account for many of our *moral intuitions.*

(1) *Argument drawn from Psychology that in man there are natural benevolent impulses.*

This argument is essentially a theory that there are in us *original* impulses which have for their object the good of others, not the good of determined persons merely, but of all men. Being original, or given to man by nature, the claims which these benevolent impulses make upon us, it is asserted, should be observed in all our acts, and, therefore, they make it our duty in every act to seek the general good. It is not, indeed, asserted that these impulses comprise our whole appetitive nature as men, for it is agreed that we have in us selfish impulses as well. Shaftesbury, for instance, considered that the benevolent impulses should even be tempered by the selfish, and an equilibrium of impulse be secured thereby. But Utilitarians generally infer from the

presence of these benevolent impulses a duty in all our actions to seek the good of all—the individual himself counting as only one amongst the total number of men.

Reply—We have to consider two points—(*a*) Granted these impulses, what is the Ethical conclusion they necessitate? (*b*) Are our benevolent impulses original, or are they derivatives from the impulse for our own happiness?—for if they are offshoots or derivatives from the impulse for our own happiness, then the impulse to our own happiness will be more fundamental than the impulse of Benevolence, and the final end of man will be not the good of Society but a man's own good.*

(*a*) We maintain that even if we have in us original benevolent impulses, the largest duty that these impulses could give rise to would be a *particular* duty of benevolence. They could not determine the whole moral law for us. If we have selfish impulses as well, then these should also determine part of our duty. Hence, even if we have benevolent impulses, our sole final end would not be necessarily the general happiness or welfare. But, it will be said, the benevolent impulses relate to the good of all and the selfish to the good of one man only, and two such impulses would not be properly balanced unless we sought our own good as a part merely of the general happiness. Our reply is that this contention might be allowed did not the impulse for our own good outweigh all the other impulses. And that it does outweigh all others is evident from the fact that in every act we must wish our own good, whereas it is rarely that the benevolent impulses assert themselves within us. Our benevolent impulses have no part, for instance, in inducing us to eat or drink or study mathematics. Hence, the impulse for our own good is of more importance in the constitution of man than that of benevo-

* We must keep before the reader that we still admit a large and important duty of Benevolence.

lence,* and, therefore, the presence of Benevolent impulses in us does not prove that the general happiness is our final end.

(*b*) But now we shall show by another argument that our benevolent impulses are naturally far outweighed by that for our own good. Our argument is that our benevolent impulses are not original and underived, but are merely a *natural* offshoot from our desire for our own good. There is in the will but one original natural impulse—viz., the impulse of the will to the attainment of its natural object—our own good. On this love of our own good is based every other impulse of our will. We may, if we like, call this desire selfish in the sense that it is always a desire for our *own* good. But whether we regard it as selfish or not, on it is based every other desire of the will. Now, this law that we must desire our own good is by no means to be interpreted as meaning that we cannot desire the good of others. On the contrary, "our own good" may be sought *in another person*. Our own good may consist in seeking the good of another, not in the sense that we may make another's happiness a means to our own, but in the sense that we can come to regard another's happiness *as* our own, and this power of regarding the happiness of another person as our own is the root and principle of Benevolence. How the love of one's own good comes to take the form of benevolence is one of the most interesting problems in philosophy. It has been fully treated by Aquinas, following Aristotle.

A man, according to Aquinas, may love others with either of two kinds of love—either the *amor concupiscentiae* † or the *amor amicitiae*. In *amor concupiscentiae* we love a thing or a person on account of some advantage accruing to ourselves; for instance, we may

* The importance of this desire for our own good is brought out by Aquinas in "Summa Theol.," II. II^{ae}., Q. 26, A. 6, where he says, speaking of the love of other men, that we should love more intensely those who are near to us than those who are near to God—a remarkable admission from St. Thomas Aquinas.

† The expression is technical. It must not be supposed to imply necessarily a sensuous element in desire.

love a ruler because he is kind to us. In *amor amicitiae* we love a person for his own sake alone. Plainly, benevolence is the love of the second kind, and it is with this amor amicitiae and benevolence that we are now concerned in this present section. On what is this love of benevolence based? "A man," writes Aquinas, "is never said to be friendly towards himself. He is related to himself by something deeper than friendship. *By friendship we effect a union with other people.* But a man's relation to himself is something deeper than *union*—it is a relation of *unity* itself, and unity is deeper than union—*it is even the principle of union.* And as unity is the principle of union,* so is the *love of one's self the principle and root of friendship.* A man is said to be friendly to others, just in so far *forth as his attitude towards them is the same as his attitude to himself.* As Aristotle says in 9° Ethic., 'things appertaining to others—that is, to friendship—are grounded on that which appertains to the love of one's self'" ("S. Th.," II^{a}., II^{ae}., XXV.). The love, therefore, of one's own good is, according to Aquinas and Aristotle, the root of benevolence, as it is of every other human impulse.

But we certainly cannot stop at this. We must go farther and explain how benevolence can be grounded in the love of one's own good, how from self-love as root we may obtain the flower—Benevolence. The question can be put in the form of a difficulty thus:—In every act we must seek our own good; how, then, can we seek the good of others for their own sakes alone, and in particular how can this second desire be grounded on the first? Now, there would be no difficulty in explaining this if, instead of benevolence, we had to deal with the

* Sidgwick writes:—"Love is not merely a desire to do good to the object beloved, although it always involves such a desire. It is primarily a pleasurable emotion, which seems to depend on a certain sense of *union* with another person" ("Methods," 244). Sidgwick finds great difficulty in saying whether *intense* love *for an individual* is a moral excellence in sense of a benevolent motive, but he inclines to the negative view. Whether he is right in this we shall not now inquire, but the fact is, these very intense loves are very often not examples of amor amicitiae but of amor concupiscentiae, and that is why they are often not benevolent.

amor concupiscentiae merely—that is, loving a man because he is good to us, for in the love of self is contained the love of others as they minister to one's self. But it seems hard to get from the love of one's own good to benevolence, which is the love of some one for his own sake (or, which is the same thing, the wishing of good to another for his own sake) alone. Still, the transition is possible, and as effected by Aquinas, following Aristotle, it is highly interesting and worthy of Aquinas.* It is made to depend upon the fundamental natural principle of union between one man and another—viz., our common human nature. We are all, according to Aquinas, *like one another* in our human nature—*we are one in human nature*, and we differ only in individual characteristics. On that account we are able mentally to *put another man in our own place and wish him good as we would wish it to ourselves*. This is the root of Benevolence. In Benevolence I do not love another *as another*, because for that it would be necessary to keep my neighbour apart mentally from me, to regard his good as quite a distinct thing from mine. Rather I put him in my own place on account of his likeness to me, make of him an *alter ego*, regard him as *one* with myself, and wish him well accordingly. Again, we quote from Aquinas (I^a., II^ae., XXVII., 3)—"All benevolence is grounded in likeness.† Two men that have the same form are one in that form, *and all men are one in their humanity*. A man's love, therefore, goes out to another, in so far as that other is one with himself, and he will consequently wish to that other good, in the same way as he wishes it to himself."

Likeness to ourselves, therefore, is the root of friendship ("omne amans amat sibi simile")—of friendship in its best sense—that is, as benevolence. Benevolence is

* It is not a doctrine for shallow minds. They will be sure to misunderstand it.

† It should be remembered that that which benevolence loves in another must be something which a man esteems. Else the benevolent lazy man could love only lazy men, and benevolent bad men only bad people.

the wishing of good to another for his own sake, not for mine, and this wish I can entertain in spite of the fact that benevolence begins in the love of my own good. For, as we have said, in benevolence I put another in my place for the moment, who then becomes my *alter ego*; and consequently I can wish him good in the same way as I wish it to myself. In benevolence, therefore, the love of self is not extinguished—it is rather made to *expand*, so as to embrace all persons, whom, therefore, we treat as we would treat ourselves. This is the highest love possible—to treat another as we would treat ourselves. It is not egoistic, for through it we desire another's pleasure, not our own personal pleasure. It is not the amor concupiscentiae, for by it we wish another well, not for our own sake, but for his. It is pure benevolence. In amor concupiscentiae I wish another good as means to myself, and, therefore, as distinct from myself. In benevolence I put another man in my own place and make his "good" mine. In the first the "thine" is distinct from the "mine," in the second the "thine" *is* the "mine." *

From all this we draw an important conclusion—the

* Of modern Ethicians none comes closer to Aquinas in his analysis of Benevolence than Leslie Stephen. He gives us as the rule of Benevolence to another —"Put yourself in his place" ("Science of Ethics," page 230). Again he writes, "So far as I sympathise with you I annex your consciousness. I act as though my nerves could somehow be made continuous with yours" (page 236). And lest this statement should be taken to mean that I sympathise with your pain because your pain brings as a consequence pain to me (as distinct from you), he expressly repudiates this interpretation (page 240). The theory which identifies benevolence with regarding another as an *alter ego* is also making headway amongst French Ethicians. Thus Fouillée, in his account of the Evolutionist Ethics (in "La Morale Contemporaine"), regards sympathy as arising out of the *common consciousness* of different individuals who are "frères siamois par la tête et par le coeur," and he mentions the Darwinian interpretation of self-sacrifice as resulting from the fact that "les deux poles, moi et toi, sont intervertis."

The reader in considering special cases of love or kindness should be careful to distinguish where the love is *amor concupiscentiae* and where it is *amor amicitiae* or benevolence, for it is not always easy to distinguish between them. They often exist in the same mind and towards the same person. Thus, to take some special cases, a person with qualities that are attractive to a man may be loved by that man. Such love based on such qualities is generally the *amor concupiscentiae*. Now, *amor concupiscentiae* is a good and a useful thing; but it is not benevolence. A man loves such a person as he loves a beautiful scene or food—*i.e.*, he

only one, indeed, that has any bearing on our present enquiry—viz., that Benevolence is not an original impulse in man. On the contrary, Benevolence is a derivative from self-love in the sense of the love of one's own good. It is, indeed, different from self-love, but it could no more exist without self-love than the fruit could grow without the tree. Consequently, the impulse to our own good is, in the order of nature, more fundamental than that to the good of the race, and, therefore, the good of the race cannot be our final natural end.

And what we say of Benevolence we say also of Pity—Pity is also based on self-love. Pity is benevolence towards those in sorrow, and, again, its root is likeness to ourselves. "Pity," writes Aquinas, "is compassion for the misery of another, and arises from the fact that we are pained or sorrowful at another's pain. But inasmuch as sorrow relates (properly) only to (the loss of) *our own good*, so a man can be sorrowful at another's misery only in so far as he regards that other's misery as his own" (II^{a}., II^{ae}., XXX., 2).

A superficial view of these doctrines of Aquinas about benevolence and pity might induce one to think that in grounding them on self-love he had lowered the standard both of friendship and of pity. Maturer thought, how-

loves it as his object. But the same person may be loved *amor amicitiae*—*i.e.*, a man may desire good to him for his own sake. Such *amor amicitiae* or benevolence is based, not on some special attractive qualities in the person, but upon a likeness to him who loves. Thus a father who loves his two children *benevolently*, loves them equally, though one be handsomer and more attractive than the other. But if he prefers the more attractive child this preference is based, not on benevolence, but on the *amor concupiscentiae*; for it is a preference based on the pleasure given to himself, and it is the same kind of preference that is given by men to certain kinds of food or wine, in which cases there is always some reference to the pleasure which the presence or possession of the object gives to the individual who loves. Granted then an equal degree of likeness between the objects loved and him who loves, pure benevolence begets equal love. Where a father's love is one of pure benevolence he loves all his children equally, because their likeness to him—that is, their family connection with him—is equal. Where patriotism is purely benevolent one loves all his countrymen with an equal love, for the bond is the same with all. Where the love of humanity is benevolent all men are loved to the same extent, for the only bond is that of human nature.

The clearest example of benevolence is that which makes us love a poor man who has no attractions for us—a kind of love which is very different from our love for attractive people or for beautiful objects.

ever, will reveal the opposite. There is no higher friendship than that which makes me regard my friend as an *alter ego*; there is no deeper pity than that which makes me regard another's sorrow as my own.*

Pity, then, like Benevolence, is not original; it is a derivative (but a *natural* derivative) from the love of one's own good. Hence, we see—if we may be allowed to carry this question a little outside the region of Ethics—how wrong Martineau is when he tells us that sympathy with suffering is so grounded in our nature—*i.e.*, is so original and underived in our constitution—that "in it we find an impressive proof that pain and sorrow are not mere uncontemplated anomalies, arising by way of disorder outside the idea and scheme of things, but are embraced within a plan of human life and distinctly provided for in human nature." "That our constitution," he adds, "is furnished with this medicine of ill indicates a system constructed, so to speak, on a theory of sorrow, and assigning to it a deliberate place as a perpetual element of discipline, as natural and not unnatural" ("Types," Vol. II.). In this passage Martineau takes it for granted that nature furnishes every man originally with a special impulse of pity or

* A few words on some modern views on pity will be useful here. Unlike Spinoza and Nietzche, who regard pity as evil, most modern philosophers regard pity as a natural good. But those who regard it as good differ much in their views as to the nature of pity. According to Schopenhauer it is a *purely* altruistic virtue, and has nothing whatever to do with the love of one's own good. Pity, he maintains, is sympathy with a man for his own sake, and therefore in pity I do not imagine *myself* as burdened with another's sorrow, rather I imagine *him* as burdened with his own sorrow, and I imagine myself as happy, and I contrast my happiness with his grief. My pity for him is, Schopenhauer contends, all the greater—the greater, by way of contrast, my personal joy. Wundt also holds the same extreme altruistic view. In pity "we do not *take on* the sorrow of another," he says, "and make it our own, because there could be no greater difference between any two states than that which we know to subsist between the hunger of the hungry man and the pity of one who wishes to relieve him" (Ethik).

In contrast with this view of Schopenhauer and Wundt, there are some modern theories which are *wholly* Egoistic—which, therefore, though they are in some respects akin to the theory of Aristotle and Aquinas, yet must be carefully distinguished from this latter theory. They are to be distinguished from Aristotle's and Aquinas' theory because according to these latter pity is wholly benevolent; it rests on the amor amicitiae—it is wholly a movement towards another's good (and for

sympathy, from which he draws the conclusion that sorrow, and therefore evil, are a necessary part of the original scheme of nature. But we have shown that there is in us *originally* and fundamentally no such medicine of ill. Pity, like benevolence, is a *derived* impulse, naturally derived, but yet derived. In the will there is but one original underived impulse—namely, our love for our own good.

(2) *Argument drawn from Hedonism.*

Utilitarians argue from Ethical Hedonism—that is, from happiness—as the supposed end of man. They extend this theory from the happiness of the individual to the happiness of all men, which latter happiness then becomes the natural end of the individual. They offer two proofs drawn from Hedonism for their theory of the happiness of all men as the Ethical end of the Individual. The first proof is Mill's rather obsolete argument, that if each man's happiness is the end of each, then all men's happiness is the end of all, and, therefore, all men's happiness is the end of each. His words are—"each person's happiness is a good to that person; and the general happiness, therefore (is), a good to the

that other's sake) whose interest I yet regard as my own (as said above I make of that other an *alter ego*). On the other hand, the Egoistic theories, to which we refer now, make pity end in one's self *alone*. According to them, pity springs from the amor concupiscentiae, or the love of another as *means* merely to our own happiness. On this theory, could we ourselves get the same happiness that we now get, without the happiness of the other, both that other and his interest would be disregarded by us. He is loved, therefore, not for his own sake, but for ours as *distinct* from him.

Bain enumerates four such Egoistic theories:—(1) The theory that we love or pity because we expect and obtain an *immediate reward* fully equivalent to the sacrifice made. This reward may be in kind or not (*vide* Mandeville, who regards flattery as the principal reward looked to). (2) In pity we are pained at the sight of an object in distress, and give assistance in order *to relieve ourselves* of the pain (Hobbes). (3) We are moved to benevolence by an intrinsic pleasure—*i.e.*, by the pleasure it causes *in us*—and we are moved in order to experience that pleasure (Bentham). (4) Benevolent impulses are at first purely selfish (we love and pity at first in order to get pleasure for ourselves), but they become purely benevolent later on "by associations and habits" (James Mill and Mackintosh). These theories are evidently distinct from the view expressed by Aquinas. They are in no sense theories of pure benevolence.

aggregate of all persons," which latter proposition Mill henceforth treats as equal to—the general happiness is a good to each person. The second is the argument used by Sidgwick, Rashdall, and others, that if "his own" pleasure be not only an end to every man but *the right end* for every man, an end that he *ought* pursue, then pleasure gets a value on its own account objectively, and would be approved of by an Impartial Reason—that, therefore, the words "his own" could no longer be considered necessary in the statement that pleasure is the end, that we are thus led to the conclusion that "*pleasure* (not 'his own' pleasure) is the end"—and that having in this way got rid of the limitation implied in the words "his own," the law of morals naturally announces itself thus—seek pleasure, and as much of it as can be had, or, seek all men's pleasure.

We shall now examine these two arguments.

Mill's Argument.—The argument used by Mill is a plain sophism which it will not be necessary to consider at any length here. It simply uses the collective sense of the word "every" (that is, "all together") as equivalent to, and, therefore, interchangeable with, the distributive sense (*i.e.*, each one separately). Mill's first proposition is that each man's happiness is the end of each, which means that "his own" happiness is the end of each. His second proposition (which he regards as a consequence* of the first) is that "all men's happiness is the end of all." This means that the whole body of men in their collective capacity (*i.e.*, Society) ought seek the general happiness. The third proposition, which is supposed to result from the second, or to be the equivalent of the second, is that each member of society ought to seek the general good or the good of all collectively. Now, to infer this third proposition from the second, or to regard them as identical, is plainly an example of the fallacy of Composition, of which we could give many instances exactly similar in form to

* This first inference might very well be questioned, but for our present purpose it is not necessary to do so.

Mill's argument. Such a similar instance is the argument that if a hundred men have a hundred heads, therefore each man of the hundred has a hundred heads, an inference the validity of which it will not be necessary to disprove.

The second (Sidgwick's) argument requires a somewhat closer examination, not because it is less sophistic than Mill's, but because it has been so strangely stated that it is hard to find the sequence of it and to show wherein its fallaciousness consists. We shall first quote the argument as given by Sidgwick and Professor Rashdall, and then attempt to set it forth clearly in our own words.

Sidgwick writes * :—

"When, however, the Egoist puts forward implicitly or explicitly the proposition that his happiness or pleasure is good not only for him, *but from the point of view of the Universe*—as, *e.g.*, by saying that nature designed him to seek his own happiness—it then becomes relevant to point out to him that *his happiness cannot be a more important part of Good taken universally than the equal happiness of any other person.* And thus starting with his own principle he may be brought to accept Universal happiness or pleasure as that which is absolutely and without qualification Good or Desirable: as an end therefore to which the action of a reasonable agent as such ought to be directed."

And Professor Rashdall writes † :—

"He (the Egoist) declares not merely that pleasure is *his* ‡ object, but that pleasure is the only reasonable object of desire, that every reasonable man must agree with him in thinking that his own pleasure is to each the only proper object of pursuit, that anyone who pursues any other aim is unreasonable and makes a mistake. And when that attitude is adopted it

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* "Methods," page 420. In the last chapter of his "Methods" Sidgwick himself seems to us to express a want of confidence in the above line of argument, for he insinuates that it does not amount to what is properly a "proof" of Utilitarianism. Yet, in an earlier chapter he seems confident enough about its validity.

† "Theory of Good and Evil," Vol. I., page 44.

‡ All the italics in the above quotation are ours, except the first, which is Prof. Rashdall's own. We have italicised those phrases which seem to us to be the turning points in the argument—*i.e.*, the points of transition from Egoism to Universalism.

becomes possible to urge that he is implicitly appealing to *a universal standard which must be the same for all men.** The pursuit of *pleasure*† is approved, not merely because it chances to be the end that he prefers, but because it is in some sense the true end, the end that ought to be pursued. The champion of pleasure may indeed contend that the Universal Rule which Reason approves is not that pleasure in general ought to be pursued, but that each man should pursue his own pleasure.‡ But an Egoistic Hedonist of this type is liable to be asked on *what ground an impartial or impersonal Reason should take up this position.*§ He may be asked whether when he condemns the pursuit of ends other than pleasure‖ he does not imply that the claims of this end¶ are dependent not upon the individual's chance likings but *upon something in pleasure itself,*** something which Reason discerns in it, and which every Reason that really is Reason must likewise discern in it. And if that is so, he may further be asked why Reason should attach *more importance to one man's pleasure than to another's.*††

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* This sentence has no connection with what goes before (it is meant to be a conclusion from what goes before), unless it means—all men agree that "his own" pleasure is the proper end for each man, and to that universal opinion we appeal for our theory that each man must seek his own happiness only—and to pursue any other aim, as is said above, is unreasonable.

† Here Prof. Rashdall has let drop the words "his own" before "pleasure." He should not have done so if the sequence of the argument is to be kept up. Of course Prof. Rashdall must mean "his own pleasure" at this point, but it would be better to say so on account of the nature of the matter in dispute.

‡ The logician, whether a champion of pleasure or not, does not say so; he merely says that if there is to be sequence in the argument then "pleasure" cannot be used as equivalent exactly to "his own pleasure," and that we should not let drop "his own" without saying why. Up to this the only "pleasure" that preserves the logical sequence is "his own pleasure." If Prof. Rashdall lets drop the words "his own" without giving reasons, he has abandoned his line of argument, and has begun merely to make disconnected assertions.

§ Because this was the point reached in the argument above, and beyond this we did not get—"every reasonable man must agree with him in thinking that *his own* pleasure is to each," &c.

‖ The Egoistic Hedonist admits only one pleasure, *i.e.*, "his own" pleasure. This must be understood in the text above if the sequence of the argument is to be maintained.

¶ *I.e.*, "his own pleasure."

** The Egoist did not assert that "pleasure" was the end, but that "his own" pleasure was the end; and on Prof. Rashdall's own confession, all men are agreed, or the Universal Reason is agreed, that that is the only and proper end. The Hedonist, therefore, is only logically bound to admit that it is "something in *one's own* pleasure" itself, &c.

†† For the purposes of valid reasoning, that is all. Prof. Rashdall has undertaken to prove Utilitarianism. It is of importance, therefore, that he should give the full term each time a term occurs. The question is

If it is pleasure that is the end it cannot matter, it may be urged, whose pleasure it is that is promoted.* *The greatest pleasure* † *must always be preferable to the less* pleasure, even though the promotion of the greatest pleasure on the whole should demand that this or that individual should sacrifice some of his private pleasure. From this point of view it will seem impossible that Reason should approve the universal rule that each should pursue his private pleasure with the result of losing pleasure on the whole. The rational rule of conduct will appear to be that each individual should aim at the greatest pleasure on the whole,‡ and that when a greater pleasure for the whole can be procured by the sacrifice of an individual's private pleasure, the sacrifice should be made. The Egoists' appeal to Reason§—the setting up of Egoism‖ as an objectively rational rule of conduct, the condemnation as irrational of those who pursue any other end¶—seems therefore to react against his own position.** The logic of the egoistic Hedonist's position carries him away from egoistic Hedonism and forces him into the adoption of a Universalistic Hedonism." ††

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not whether one man's happiness is more important than another's, but whether, in the course of the argument, we have as yet got away logically from that annoying particle "his own." If the present argument is not to be regarded as a logical proof of Utilitarianism, if the Hedonist is simply being asked to prove something himself—namely, to prove his theory, or to give reasons why one man's happiness is more important than another's, it would be better to say so; but Prof. Rashdall has evidently undertaken to prove the Universalistic Theory, granted the Egoistic, and we expect him to keep up the logical sequence of his argument.

* This may be quite true, but, if the above argument has any weight, it matters much that when "his own pleasure" is stated to be the only reasonable end for the individual, "his own" should not be let fall out without our being told why.

† *I.e.*, the greatest amount of "his own" pleasure, if "his own" pleasure be the only reasonable end.

‡ *I.e.*, "his own" greatest pleasure on the whole, if, we repeat, "his own" pleasure be the only reasonable end.

§ As above, an appeal to Reason to declare "one's own pleasure" the only reasonable end, a declaration which, as Prof. Rashdall himself admits, Reason makes.

‖ Egoism in sense of "one's own pleasure."

¶ "Than their own pleasure"—*i.e.*, to each "his own" pleasure.

** How?

†† Not as long as the Hedonist emphasises that annoying particle "his own." The reader must not consider that in following the argument almost word by word we have taken a narrow view of it, or have sacrificed the spirit of the argument to the letter. We have called attention to the details of the argument because it was necessary to do so in order to guard against a subtle fallacy which could only creep in under cover of words.

Now, both these writers are here attempting to build a bridge between Egoistic and Universalistic Hedonism. The points of transition from the Individual Happiness to the Happiness of all are clearly shown in the words of Professor Sidgwick, italicised by us ("but from the point of view of the Universe"), and also in the italicised passages in Professor Rashdall's statement. The aim of the transition in both cases is to get rid of the element "his own" in that principle of the Egoist—"to each his own happiness is an end," and, as a means to this elimination of "his own," each writer appeals to the fact that "his own pleasure" being a *good* and *right* end to the individual, an end that he *ought* pursue, it is as a consequence an end which would be approved by "the whole world" or the "Universal Reason" or an "impartial Reason," and in that way pleasure becomes an end with a purely objective value—*i.e.*, it gains a value apart from its relation to the individual altogether; and, therefore, having a value distinct from the individual, it ought be pursued without reference to its being owned by any person in particular. On this theory, as long as an end is approved of by the individual alone (for example, sweets or fruits or other such ends), as long as the goodness of these things consists in the fact that it is only I who wish them, so long the Universal or Impartial Reason has nothing to say to these ends, and so long they have merely a subjective value (a value for me) not an objective value. But when the Impartial Reason approves of an end (and the Impartial Reason will approve of an end whenever the value of that end consists in something other than the mere fact of its being desired by me—for instance, when it consists in the fact that a certain end is *necessary* to me, or that *nature* has given me an impulse to it) then that end comes to be of value on its own account, as disassociated from "me," and then the element "his own" can be allowed to drop out. For Utilitarians of this school, therefore, "pleasure" and not "one's own

pleasure" becomes the end, and our highest end must, accordingly, be the greatest quantity of pleasure, or the pleasure of all men.

We think this as fair a statement of the argument as can be given. But with a plain statement of it the sophism it contains stands out as plainly as in Mill's argument. In the present argument the transition from the happiness of the individual to the happiness of all is effected either (I.) through the assertion that the universal or *Impartial Reason approves* of the end, or (II.) through the proposition that the *end has a value in and for itself*. (I.) The inconsequence of the first of these assertions may be illustrated by an analogy—the analogy of a sick man and his medicine. The doctor orders medicine for the sick man ("his own" medicine—*i.e.*, a medicine specially compounded for *this* patient). This medicine is prescribed not because the patient has taken a liking to it—our point is that it is prescribed because it is *necessary* for him, and that, therefore, it is an end which an Impartial or Universal Reason would quite approve of. Yet, this medicine does not thereby acquire a value which is purely objective, a value in and for itself without reference to the individual. The element "his own" does not cease to have its proper value in consequence of this Universal approval, nor does the law henceforth become for the patient—seek, not "your own" medicine, but all men's medicines and your own as just one amongst the number. The expression "his own" can never become detached from that prescription. It is as his own that the medicine is prescribed for him, and it is as "his own" that the Impartial Reason approves of it, and only as "his own" is it desirable and to be given to him. This analogy may not be perfect—omnis comparatio claudicat—but it will help to bring out our meaning. If the law of Egoistic Hedonism be—"seek *your own* pleasure"; or—"your own pleasure is a good," and if Reason approves of what is an end to me by a law of nature—

viz., "my own pleasure"—then nothing can remove these qualifications indicated in the expression "my own," whether the approving Reason be partial or Impartial, particular or Universal. The Utilitarian might, indeed, find other arguments to show that the Impartial Reason approves of the general happiness. But he cannot establish it from Egoism. Beginning with Egoism, then, there is simply no way open to "the general happiness as end of the individual," for, from the very start, the qualification "his own" attaches to the pleasure, and makes impossible the transition to Universalism. (II.) Again, if we take as the point of transition the words "of value in and for itself," we have once more the same evident fallacy. If "my own pleasure" is a natural end of action, if it is the end which we *ought* pursue (and to this both writers confess), then it is "my own pleasure," and "not pleasure in the abstract," that gets a "value in and for itself," and no amount of shuffling of the cards can get rid of this condition which Egoistic Hedonism affixes from the very start, and which reappears at every turn—the condition of "personal reference" expressed in the words "one's own" pleasure. If we do not begin with that we are not beginning with Egoistic Hedonism, and then Professor Rashdall's words are meaningless. If we do begin with that, the condition "my own" remains to the end, and then Universalistic Hedonism is in very terms excluded.*

Having thus shown the weakness of the Utilitarian inference from Egoism to Universalism, it remains to

* Prof. Rashdall puts the argument from Egoistic Hedonism in many other ways without, to our mind, increasing its force. He writes, for instance (page 46)—"The very principle upon which (men's) own preference of pleasure to all other objects of desire rests seems to put them under the necessity of approving a similar end for other people. How, then, can they condemn in themselves an impulse which tends towards the realisation of that end for others?" We answer, we don't condemn such an impulse, but we deny that the natural desire which each man has for his own pleasure leads of necessity to his making other people's pleasure an end to be striven for by himself. It does lead to our recognising that other people's pleasure is an end *to them* and to be striven for *by them*, as mine is an end *to me*, and to be striven for *by me*.

point out that our criticism of this argument does not affect Aristotle's argument, which builds not Utilitarianism, indeed, but, at least, benevolence on the fact that every man desires his own good. For Aristotle's argument differs *toto coelo* from that of Sidgwick and Professor Rashdall, and the difference lies not in the result of the arguments merely, the one leading to a duty of Benevolence, the other to Utilitarianism, but in the logical value of the respectve arguments. For, whereas Aristotle and Aquinas recognise that any end that I may wish is "*my*" *good both before and after* the transition to benevolence (the "my" never disappearing, but simply *expanding* so as to embrace all men through their *union* with me), the other two writers seek to get away from this reference to the individual's pleasure altogether, or to represent it as only one amongst a million pleasures, other people's pleasures being distinct from mine, and equal to mine. That, we have shown to be impossible. From Egoism to Benevolence there is, we believe, but one way open—that indicated in Aquinas' argument, which bases benevolence on the likeness men bear to one another in their nature, and their being one in that nature.

Before concluding this section it may be well to point out that the same fallacy that we have just exposed in Sidgwick's argument is found also in other forms of the Utilitarian argument—for instance, in the argument that as pleasure is our natural end, our *highest* end must be the *sum* of all pleasures—*i.e.*, the maximum pleasure of all. Our reply is—If "his own" pleasure be the natural and constant end of the individual (and there is no other constant pleasure-end) his highest end will be the maximum of "his own" pleasure, not that of other men—just as, if my aim be my own bodily exercise, my highest aim will be the best bodily exercise that I can get, not the best or greatest exercise of other people.

We have drawn this argument out at length because of the importance it has assumed in recent Utilitarian literature.

(3) *Argument drawn from the moral good as categorical and objective.*

Many modern writers (particularly the German Ethicians) seek to prove that the good of Humanity is the only moral end, and is, therefore, the final end of the individual, by reasoning from (*a*) the *categorical* and absolute nature of the moral law, the only absolute value in nature being, according to these writers, the good of humanity as a whole, the good of the individual being conditional only—that is, referrible to the good of the whole; or, on the other hand, by reasoning from (*b*) the "*objective*" value of the moral good—the mere individual good is, in this theory, of value only for the individual man, and therefore (as we shall presently explain) it is not objective because not Universal.

Reply—(*a*) This theory is met by principles established by us in our second chapter—the principles, namely (I.) that the Infinite Good is the natural final end of the Individual man, and (II.) that this end is of value on its own account (absolutely), and not merely as a means to something else (conditionally). The end of the Individual man is, therefore, a categorical good. Consequently, it is not true that the only absolute and categorical good is the good of Humanity as a whole.

Again, this theory is built on the supposition that the individual is a mere part of Society. Now, we admit that if the individual man were nothing more than a portion of Society, and if he had no end apart from Society, then Society would be the only thing of absolute value to him. We might, then, like these Ethicians whom we are now considering, compare the individual to the human arm, the value of which is conditional—that is, its value depends upon its being part of the whole body. But the individual man is not a mere part of Society, and independently of Society he has his own ends, and particularly his own final end.* Society is

* As Aquinas writes: "If the whole of which anything is a part, is not (its own) final end, but is referred to some still further end, then the ultimate end of the part will be that other thing (to which the whole system is referred), and not the whole of which it is a part" ("S. Theol.," I., II., Q. II., Art. 8).

not his final end. And, therefore, the final good of the individual, though an individual good, can be yet a good of absolute value.

(*b*) Our principles regarding the ends of our natural faculties dispose of the second argument above—that the objectivity of the moral good lies in its being the good of all men. For we have shown that the natural ends of all natural faculties are real and objective. We showed especially that the end of our wills—the Perfect or Infinite Good—is real; and on this Infinite Good as our final end, and on the other natural objects of our faculties, is based the reality or objectivity of the moral law. It is not true, then, that the only *objective* Good is the good of all men.

Moreover, there is nothing (either moral good or anything else) whose "reality" or "objectivity" consists in being "valued" by all men. The theory that places the reality or objectivity of moral good, in its being valued by all men, is based on the Kantian doctrine that "Objectivity" and "Universality" (or the fact that a thing is an object for all men) are one. This doctrine we cannot accept. A thing might be objectively *real* even though I alone perceived it, and a thing might be of objective *value* even though I alone desired it. Universality, then, and objectivity are not one either in the theoretical or in the practical sphere. An object might, we say, exist, though I alone perceived it. An end may be objective even though I alone desire it; and, therefore, the individual good may be objective and a moral good. The good of the individual, therefore, may be as categorically necessary and as objective as the good of the race, and hence the moral law is not grounded necessarily upon the idea of the racial good.

(4) *Argument drawn from the common conception of morals.*

This argument is two-fold in form.

(I.) Bain writes—"By far the greater part of the morality" (he means moral laws and institutions and

opinions) "of every age and country has reference to the welfare of Society. Even in the most superstitious, sentimental, and capricious despotisms a very large share of the enactments, political and moral, consist in . . . securing justice between man and man. . . . Of the ten commandments four pertain to Religious worship, six are Utilitarian—that is, have no end except to ward off evils and to further the good of mankind." * The drift of this argument is that since most of men's thought about morals is taken up with the good of Society, the good of Society must be the essential element in morals.

(II.) Gizycki † adopts the same argument, but he modifies it by adding to it the idea of evolution in moral ideas. The following is a short statement of his theory on this point:—Moral ideas have developed, and development brings with it greater truth. But development in human action has been wholly in the direction of a greater and greater sympathy with the world at large. Hence the truth lies in the direction of Universalism. In the beginning an act was considered morally valuable which promoted the happiness of the family or the tribe. To-day we tend to include all men in our sympathies, and regard that alone as good which promotes the sum of human happiness in general.

Reply—We shall deal with the second (Gizycki's) form of the argument only, as it is the more modern form, and includes Bain's. *First,* we deny that men now tend to identify the moral good with that which brings happiness to the race. The only people who do so are the Utilitarian Ethicians, and they do so only in their books. In common life, every man, even the Ethician, will assert his rights as against Society, and he will assert certain of these rights, and regard himself

* "Moral Science," page 442.

† "Introduction to the Study of Ethics," page 5. We have already said that the "end," according to Gizycki, consists in holiness of will or peace of conscience, but this end, he declares, is promoted by action for the good of others.

as justified in so doing, no matter what be the amount of general joy that he feels he spoils by clinging to his rights. *Secondly,* even granted that we are becoming (as perhaps we are) more benevolent, this does not mean that the content of our moral ideas is changing, that we tend to identify all goodness with benevolence, but only that, on the one hand, we now exercise greater carefulness in discharging this very important duty of Benevolence than hitherto, and, on the other, that whereas we were formerly brought into contact with but a few men whom it was possible for us to benefit, our modern system has brought all the nations under each other's influence, and made it possible for and incumbent upon us to widen our sympathies more. We are, in other words, now more one family than we were. But that does not mean that the good of others has become our sole end. A father knows that he has a duty of benevolence towards his own family, and as the family grows the demands upon his benevolence may become correspondingly greater. These increasing demands thus made on his liberality, and his correspondence with these increasing demands, do not imply that he has altered his ideas of benevolence or that he has tended more to identify all morality with Benevolence. It is so with the race at large. Our sympathies may widen—still our idea of the final end remains the same. *Thirdly,* when we admit that men's sympathies may have widened with time, we mean, not so much that the individual mind has grown more benevolent (though it has, perhaps, grown to some extent), as that the *public mind* or interest in the general affairs of State has grown—has developed—and that it expresses itself more than was formerly the case. The political education of the masses as a result of modern political conditions is a subject of which we have heard much, and it needs no discussion here beyond indicating that it has had some influence in helping the ordinary citizen to understand the nature of the public interests—such as interests of the State. But we must not forget that however appreciation of public

interests is developed, private interest will not, therefore, urge its claims on the individual with diminished force, although the pursuit of it must naturally be always less *prominent* and receive less notice than matters of State in public records. It is not easy, therefore, to see how the growth of interest in the public good strengthens the case for that development in moral ideas spoken of by Utilitarians Growth of interest in the public good is explained not by development of our ideas as to the natural end of man but by the "political education of the masses," who now share in framing the laws of the State and in the procuring of the public good. *Fourthly*, Gizycki has argued as if men were becoming more social—*i.e.*, as if from the beginning the social interest were developing and the individual interest gradually disappearing. But we would ask the reader to compare with Gizycki's account the following quotation from M. Levy Bruhl's work on "Moral Science" (M. Levy Bruhl is no opponent of Utilitarianism)—a work in which this distinguished writer teaches exactly the opposite of Gizycki's view, and regards the history of the human race as a history of the gradual emancipation of the individual from the social body of which, according to Levy Bruhl's theory, he was at first a mere part without any end of his own:—"Nous pouvons admettre avec une vraisemblance proche de la certitude que dans les groupes humaines (*i.e.*, pre-Australian groups) qui différaient autant des Sociétés Australiennes que nous différons d'elles, l'individu n'existait guère mentalement pour lui-même, n'avait guère conscience, si l'on ose dire, de sa conscience individuelle, et que sa vie psychique était de nature presque purement collective." Here, then, it is the individual that is represented as coming forward—Society as falling back. In such a variety of conflicting views among the Utilitarians it is hard to regard the argument drawn from history as a decisive proof either of Utilitarianism or of any other Ethical theory.

In summing up our criticism of the arguments in

favour of Utilitarianism drawn from the "common conception of Morals" we say, first, that men have indicated no tendency so to change their moral ideas as to identify the moral good with the general happiness. Secondly, if we assume, what is really very doubtful, that there has been a considerable growth in charity in modern times, we cannot thence infer that men are developing a belief in the "General Happiness" as the natural Ethical end of the individual. It proves at most that men do now more frequently and extensively what they always knew to be one of their principal duties.

(5) *The Argument from Pragmatism.*

Pragmatism is the theory that that is true which works. Applied to the question of Moral theory it means that a theory of conduct is true which yields the most acceptable and workable code of human morals. Utilitarianism, we are told by its advocates, is found to work. It does not, according to the Utilitarians, like Hedonism, debase mankind. Its moral code is a high one. The world has been working on it for centuries ("by far the greater part of the morality of every age and country has reference to the welfare of Society," writes Bain *). Utilitarianism, it is asserted, is the expression of a law the observance of which holds Society together, of a law which would, if adopted generally by mankind, prevent war and injustice and cruelty and the antagonisms of classes, and everything else which brings misery to men. Utilitarianism, then, works in the best sense of the word. Consequently it must be true.

Reply—On the general principle of Pragmatism, or the principle that what works is true, we cannot speak now, for in this book we are concerned with Ethical theory only. We shall, therefore, confine our attention to the Pragmatist argument as applied to Morals.

* "Moral Science," page 442.

Both the major and the minor premiss of this argument need to be examined—viz., that "a theory of conduct which works is true," and that "Utilitarianism is a workable theory of conduct."

The major proposition could not be accepted without very great restrictions. Before workability could be regarded as a test of the truth of a moral theory, the theory should be workable in the sense and under the conditions that follow—(*a*) it should possess a workable criterion—that is, a criterion which is certain and can be applied with certainty to conduct; (*b*) it should lead to a workable moral code, a code which it is possible to accept; (*c*) it should be the only workable moral theory, for a moral theory is supposed to assign the ultimate ground of morals, and there can be only one *ultimate* ground of morals. Hence, there can be only one true complete moral theory. With these restrictions we shall for the sake of argument * accept the major proposition of our opponents without further question, and in the light of these restrictions we go on to the principal portion of our argument, which is the examination of *the minor proposition*—that Utilitarianism works. We find that this minor portion fails to fulfil any of the three conditions under which alone we accepted the major proposition. Utilitarianism has no workable criterion; it does not yield a workable code; it excludes other theories which are workable.

(*a*) We have already seen that the Utilitarian criterion is quite unworkable in practice. Its application to conduct is most difficult and uncertain, if not absolutely impossible.

(*b*) We also saw that the code of morals to which this Utilitarian criterion leads when rigidly and consistently applied is not such as mankind could possibly accept or

* We should explain to the reader that even with these conditions realised we would not feel compelled to accept this theory that "a moral theory that is workable is true." The above conditions are the least that we should require before even considering the question whether "a moral theory that works is necessarily true."

has ever accepted. For the essential feature of Utilitarianism is that it subordinates the individual wholly to Society, a condition of things which the individual will never allow and could not allow. Every man claims the right to pursue his own end, due regard being had to the claims of Society. There is no man who will not consider that he has rights independently of Society, and that he can exercise these rights in spite of the fact that Society may be deprived of much pleasure thereby—of more pleasure than he gains in using his right. Thus, Society has no right to make a man profess a faith in which he does not believe, even though the profession of such faith promoted the material interests of Society. We claim, then, that the individual will always regard himself as independent, to a large extent, of Society, and that if Society should at any time treat the individual merely as a thing without rights on his own account, the individual will resolutely resent any such action on the part of Society. But Society will not and cannot do this. It cannot afford to ignore the individual right and individual independence. Therefore, the principle of Utilitarianism is unworkable.

(*c*) Utilitarianism, even if it were a workable theory, is not the only workable theory. Everything that is true in this theory is contained in the Aristotelian and Scholastic moral system, and they are not Utilitarian. All the virtues—Temperance, Justice, Fortitude, Benevolence, Prudence, Truth—were formulated before the introduction of the Utilitarian theory, and without the aid of the Utilitarian principle.

Utilitarianism, therefore, as a system is neither necessary nor workable, nor the only workable theory; and, therefore, we cannot, on the ground of its supposed workability, postulate its truth. There are, however, in the Utilitarian theory some principles which are both workable and true, as we pointed out in the beginning of this chapter; but these principles do not justify us in accepting the Utilitarian system as a whole.

(6) *Argument from the theory of the "Solidarity" of Society.*

It is not easy to give a definition that will adequately describe all the forms of this theory.* Most of them, however, are, we think, contained in the following rather lengthy definition, which may be described as a mean reading of the "Solidarity" theories. The theory of "Solidarity" implies that Society is an Organic Unity made up of individual men and related to those individuals much as the body is related to its members—that just as the body and the members act on one another reciprocally, so Society and individuals have a reciprocal influence on one another; that as the members derive their existence, their functions, and their meaning from the whole body of which they are the parts, so the individual man is indebted to Society for his existence, his faculties,† the development of his faculties, his character and (in a very special way) for his moral nature; that apart from Society the individual is unintelligible (some of the expressions of this are curious—"Unus homo, nullus homo" ‡—"we are what we are through the rest" §—"a man not dependent on a race is as meaningless a phrase as an apple that does not grow upon a tree" ‖); that (this is their principal Ethical conclusion) as the body is the end of the members, so Society is the end of the individual, and that on this account, as also on account of the indebtedness of the individual to

* A good account of the various forms of this theory is given in M. Fouillée's "Eléments Sociologiques de la Morale," and also some account of the name "Solidarité," as applied to Morals.

† This theory that the individual is formed by the organism of Society is part of the theory of Social Evolution—that is, the theory that the feelings of the individual (the mind or ego being only, according to these writers, a bundle of feelings) are inherited from the race at large, and that they have been evolved by the pressure of all parts of Society upon each part, so that the individual may be regarded as a microcosm of all Society, past and present. "We are not," writes Carneri ("Grundlegung," page 331), "as individuals, any longer a part—we are the whole of Society, and carry it in our breast."

‡ Tredelenberg.

§ Guyau.

‖ Leslie Stephen.

Society for all that he is and has, he should direct his actions to the good of Society.

Criticism—In this theory we find two points for criticism—(I.) The proposition that Society is the end of the individual as the body is the end of the members. (II.) That the individual is formed by his social environment, and consequently is indebted to Society for all that he is and has, and that he should in all his actions seek the good of Society.

(I.) On the first proposition it is not necessary to say much at this point. We have already seen that Society is not the end of the individual man, that the individual man and Society have the same end, which is beyond them both—namely, the Infinite Good—and that, consequently, the individual man is not a mere part of Society.

The analogy of the members and the body, and its applicability to Society, will be further considered when we come to treat of Society. But it will have already suggested itself to the reader that the analogy is of its nature misleading, since the cells and members of a body are not free beings, whereas the individual man is a free being. Also, the cells and members have no end of their own beyond the body, because their capacities do not exceed that of promoting the good of the body, whereas the individual has capacities that exceed the promotion of Social happiness, and, therefore, his final end cannot be the promotion of this happiness. The relation of the cells and members to the body we describe as organic, that of individuals to Society as "hyperorganic." *

(II.) The question of the indebtedness of the individual to Society, of which so much is made in the theory of "Solidarity," must be considered here more closely. This indebtedness is described at great length and in an interesting way by Leslie Stephen. The following passage, though not quite so thoroughgoing

* We must repeat here that we have no wish to limit the extent of the duty of Benevolence. We think, in fact, that there is no duty which Utilitarians would in practice demand from us that we could not as Scholastics accept and recognise.

in matter and aim as other expositions with which we are acquainted, will, nevertheless, give the reader a good idea of the style of argument generally adopted in the exposition of this theory :—

"Almost every action of my life," he writes, "is dependent more or less directly upon the co-operation of others, and the more so as I become more civilised. I cannot think without assuming the knowledge attained by others. I see that my fire is low, I feel that I am too cold. I infer that I should put on coals. Even in so simple a case I use inherited results of the experience of others, and especially of the great discovery of fire and its properties. But I am also dependent on the continued co-operation of others. . . . If I can devote myself to write an Ethical treatise, it is because thousands of people all over the world are working to provide me with food and clothes and a variety of intellectual and material products. . . . It is again obvious that as every man is born and brought up a member of this vast organisation (of Society) his character is throughout moulded and determined by its peculiarities. It is the medium in which he lives as much as the air which he breathes or the water which he drinks. And this implies not merely . . . that his intellectual furniture, his whole system of beliefs, prejudices, and so forth, are in a great degree acquired by direct transference, and that consciously or unconsciously he imbibes the current beliefs and logical methods of his fellows, but also that he is educated from infancy by the necessity of conforming his activities to those of the surrounding mass. If his feelings or beliefs bring him into conflict with his neighbours he is constantly battered and hammered into comparative uniformity," &c.

Other advocates of this theory claim, as we have said, a much greater degree of indebtedness and dependence than Leslie Stephen.

Now, in order to answer this theory, it is important that we should set forth briefly and in outline our own view on the indebtedness of individuals to Society, saying how much comes to us generally from our Social environment, and how much we have, not from Society, but from Nature directly, or from the Author of nature; for we claim that, besides the benefits which we derive from Society, there are others that we derive not from Society but from nature.

(1) In the first place, there are those things which are common to all men—that is to say, *our human Nature itself and its essential properties.* These come to us directly from God. Our parents are only the instrumental causes of our existence and of our human nature—they are the transmitters of human nature, not its causes. And this common human nature includes a body and a soul, the parts of the body and the functions of the soul. Society has not given us heart, stomach, or eyes; neither has it given us our powers of growing, feeling, and thinking. These things are *given* directly by the Author of Nature, and merely transmitted to us by our parents. Society, and more particularly our non-living environment, may make some accidental changes in some of these things. A limb may develop or become atrophied in response to environment, but our body and soul and our faculties are all from nature. So far Society can make no claim upon us.

(2) *In the second place, there are those things in which men differ from one another,* and here Society has some claim upon us. Of those things in which men differ some are innate and some are acquired. The *innate* element includes, broadly speaking, three things—(*a*) bodily properties like health, (*b*) mental ability, (*c*) our innate will-tendency or character. Now, (*a*) individual bodily properties like health depend very much on social environment, but not so much on Society in general as on the special influence of parents and immediate ancestors. (*b*) Innate Mental abilities depend but little (much less than bodily health) on Society. From decrepit ancestors it is scarcely possible to inherit a strong and active body—but out of a stupid race we may get a sharp intelligence. Therefore, mental ability is more independent of environment than bodily health. Still, here again, there must be some degree of dependence—not, indeed, on any efforts, conscious or unconscious, of Society at large, but on influences from particular individuals in our line of ancestors. (*c*) The *character* with which we are born exhibits much depen-

dence not only on particular individuals in Society, but on Society at large. As the father is, so, to a large extent, is the son. As the race is, so, to a large extent, is the individual. Every man is affected by the family disposition and by the racial disposition (the disposition, for instance, of the Frenchman, the Englishman, and the German), and in both of these respects we are dependent on our social environment. So far, we have spoken of *innate* individual possessions only.

Another class of human attributes in which men differ (a class which is of the greatest importance to the theory of Solidarity) is that portion of our being which consists of *acquired* habits. Acquirements are in the main acquirements of (*a*) growth (body), (*b*) of knowledge (intellect), (*c*) of character (will).

(*a*) The first of these classes of acquirements it is not necessary to dwell on, since it cannot be of much consequence to the theory we are criticising. For their food and other things necessary to growth children are indebted to their parents only, not to Society at large. No doubt, many articles of food would be impossible without Society, but food in general could be obtained even though men never entered Society. If animals can obtain their food without Society there is no reason why men could not do the same. For bodily growth, therefore, we are not *essentially* dependent on Society.

But it is in relation to the other two classes of acquirements—(*b*) our information and (*c*) our character—that we are most indebted to our social environment, and it is on these two factors that the advocates of the "Solidarity" theory lay most stress. Now, as we shall show in a moment, our debt to Society in respect of information and character is a very large one. Yet it is not so large as to lend countenance to the theory that we owe all to Society. For, not to speak of such knowledge as could be gained by us even though Society did not exist, and confining our attention to that portion which depends to some extent on Social aids, we still claim that

much of our knowledge and our character depends upon the individual himself and not on Social Environment. For (1) there is no such thing as a pure or unmixed mental acquirement. As the Scholastics say—Id quod recipitur recipitur secundum modum recipientis. The information we are capable of acquiring depends not merely upon our teachers, but also upon our natural abilities and industry,* and for these we are not *in the main* indebted to Society. So also the character, views, opinions, tendencies, which our surroundings beget in us, depend largely on what we are by nature, upon our general complexion of soul and body, and not on environment. *Mere* environment could never make a great man. We are, it is said, what our age makes us; but, then, the age must find us in order to make us. To some extent Shakespeare was the product of his age, but it needed a Shakespeare to take hold of and utilise, and by his own personal industry to perfect, what the age had to give him—else we should not have had the author of "Hamlet" and "Macbeth." What we are and do, then, depends largely on ourselves, our ability, and our industry; and even what we do receive from outside is so largely modified within us that our information and character cannot be said to be due wholly or even chiefly to external sources. (2) For our acquirements, intellectual and moral, we are largely indebted to the mere material world and not exclusively to *social* environment. Much of our information comes to us direct from the physical world. Also, our faculty of knowledge is to some extent sharper or duller according to our surroundings. The brighter fancy, for instance, depends upon the more sunny climate. Moral character, too, is largely formed in response to the visible world around us. The vicinity of lofty mountains influences us to generous feeling and to detachment from trifles—a

* If we might borrow an analogy from Economics:—"Without industry capital would be of very little value to commerce, and without industry the acquirements of the race, which are our mental capital, would do little for the individual." We are not, therefore, what our age makes us.

gloomy and forbidding environment inclines us to the opposite of this. Our debt, therefore, cannot be wholly to *human* society. (3) Both in the matter of information and in the matter of character we depend not as a rule upon society *at large* but upon definite individuals, proximately upon our parents and teachers, and remotely upon other individuals. For actual teaching we are indebted to our parents, for the principles on which their instruction proceeds we are indebted to the individuals who discovered or proved these principles. It is absurd, therefore, to speak of the Individual mind being formed in response to "social pressure" from all parts of the social organism, when we can actually point out the individuals to whom we are indebted for what we have. Our debt, then, is not wholly to society but is due mostly to individuals. (4) That which we have received we have received mainly from the generations that are dead, and only to some extent from our contemporaries to whom we owe comparatively little; and it would be absurd to base on the individual's debt to the past a theory that he is bound to regard the Happiness of the present and future generations as his sole natural end. For our information, therefore, and for what is acquired in our character, we are to a very large extent independent of social environment.

And yet we must admit that to Society we are indebted for something that we are and something that we possess. And our debt is not a small one. It is through Society that we become "the heir of all the ages." It is Society that receives and transmits to the human race the knowledge attained by each succeeding generation. Without Society there could be no human development, no language, for instance, and, therefore, no efficient thought. In a word, without Society the possibilities of human nature would to a large extent remain possibilities, and man's development and higher perfection would remain unaccomplished. This means that our debt to society is very large, but it means no more; and we cannot legitimately infer from it that our debt to

Society makes the happiness of Society man's sole natural end.*

We conclude our account of the Solidarist's view of the action of Society on the individual and the dependence of the individual on Society with a quotation from M. Fouillée:—"Les solidaristes," he writes,† "en définitive, n'ont point poussé jusqu'au bout l'analyse de l'idée de dépendance. L'homme ne dépend pas seulement des autres hommes, de la nature, de la famille, de la nature extérieure; il dépend aussi de sa propre constitution individuelle; il dépend de lui-même et de toutes les relations internes qui le constituent tel ou tel. L'interdépendance suppose l'intradépendance. . . .

* The theory that we owe all, even the existence of our minds, to Society, has been maintained and defended by the most varied arguments. Besides the reasons given in the text, some adduce an argument from the supposed discovery of Prof. Baldwin that the child's mind or Ego is formed by *imitation* of the actions of those around it. Others, like Prof. Royce, find a proof for this theory that the Ego or mind is formed by Society, in the fact that our thoughts and dispositions are a *reflex* of the attitude of other men towards us. If the world opposes us, Prof. Royce says, the Ego of which we are self-conscious (our own Ego) is felt as a fighting Ego. If the world admires us, our Ego is felt as a heroic Ego, and so on. (These arguments are given in Baldwin's "Mental Development in the Child and the Race," and in Royce's works, "Studies in Good and Evil" and "The World and the Individual.") Others argue from the supposed absence of Reason in the wild solitaries who have never been under the influence of Society.

Fully to consider these and the other arguments used in support of the theory of "Solidarity" would require more space than it is possible to give them here. Prof. Baldwin's and Royce's theories the reader will have no difficulty in answering for himself. Before the child could *imitate* the world around him, he must be possessed of a mind—he must be an Ego; and before a man could *reflect* his surroundings in the way described by Prof. Royce, he must have a mind by which to reflect them. Hence the individual Ego could not be formed by *imitation* of or by *reflection* of Society. Besides, both of these theories are built on the false supposition that the soul is only a bundle of qualities or dispositions or thoughts, and not a substance—a theory the refutation of which belongs to Psychology. As regards the argument derived from the supposed lack of Reason in the wild solitaries, our reply is that so far as we are acquainted with the history of these wild solitaries (our knowledge of their history is mainly confined to that given in a remarkable work entitled "Homo Sapiens Ferus," by a certain Prof. Rauber), we are persuaded that the actions and habits of these solitaries give no ground for thinking that they were not possessed of Reason. On the contrary, the ease with which they were in practically all cases taught to speak and read (the few exceptions being mainly cases in which these wild men were taken when old, and in whom, therefore, the organs of speech had practically become atrophied for want of use) shows conclusively that they had Reason, and could think just like other men.

† "Les Eléments Sociologiques de la Morale," page 395.

On peut donc dire que les solidaristes voient seulement la moitié de la vérité; ils constatent la loi de solidarité relative qui nous emporte hors de nous, ils oublient la loi de non-solidarité relative qui nous concentre en nous." *

(7) *Argument from the necessity of Utilitarianism to account for our moral intuitions.*

A seventh argument in favour of Utilitarianism, an argument which we do not think it necessary to consider at any length here, is derived from the fact that Utilitarianism (*a*) explains many of our supposed moral intuitions, which (*b*) on any other theory of morals would not be explainable. Thus, it is claimed that our intuition of the goodness of justice, truth, and other such virtues is explainable only on the supposition that the "good" is that which promotes the welfare and happiness of the race.

Reply—This argument we regard as false in its premisses and in its supposition. In its premisses it is false because it does not explain our moral intuitions. It does not, as we have already shown, explain the law of justice, and it opposes our view of the unlawfulness of homicide and of lying. Again, it is false in its supposition that the truth of a moral theory is to be judged by its conformity with a particular moral code. It is not allowable to accept a moral theory for the simple reason that it explains or harmonises with our moral beliefs, since if Ethics is a Science, our beliefs must be themselves grounded upon and reasoned out on the basis of our theory of the end of man and the nature of the good. Hence, our beliefs depend upon our theory of Ethics, not *vice versa*. Nor does it make a difference that these moral beliefs referred to are intuitions. The truth of our intuitions as well as of all other beliefs must be tested by that which we regard as the true theory of moral goodness and of man's final end—that is, our beliefs must all

* We think it fair to mention, before quitting the consideration of this theory, that much of the civilisation and refinement of the world to-day depends upon religion and the church, and not on civil society. We mention this, however, not as an argument but as a fact.

be tested by our Ethical theory. Hence our Moral Intuitions afford no sufficient reason for our accepting the theory of Utilitarianism.

These, we believe, are the main arguments adduced by the Utilitarian Ethicians, and from the consideration of them we are persuaded that they do not, to use Mill's words, "determine the mind to accept" the Utilitarian theory.

APPENDIX I

The Theory of Moral Values

The theory of "moral values" (Werttheorie) has come to occupy such a prominent place in recent Ethical literature that we cannot pass from the present chapter without saying a few words about it. It will not be necessary to consider this theory at any length, because we have already said a great deal in the present chapter about its principles, though, indeed, we have not spoken of them under the name of the "moral value" theory. Only the general principles of the theory will be here described—the details, and the various forms of the theory, are to be found in such works as Ehrenfel's "System der Werttheorie," Meinong's "Pyschological Ethical Enquiries on Theories of Values," and other such works.

A thing in this theory is said to have "value" when it answers to—that is, is the object of—desire or appetite. It is said to have a moral value when the race desires it, or when it leads to something which the race desires. The value of a thing, then, depends upon our desires. "We do not," says Ehrenfels, "desire things because they have a value—they have a value because we desire them." Desire is the criterion of value. But though this principle is common to all "Value philosophies," it is not always understood in the same way by the Valuists. For some accept the principle in the sense that an object has value when it is indispensable for our needs, whilst others claim that only such objects have value as are *worthy* of being desired.

Valuists also differ as to the (*a*) cause, (*b*) the conditions of intensity, and (*c*) the object of desire. The most prominent

view on the first two of these is that of Ehrenfels, who teaches (*a*) that desire arises when the state of happiness which is conditioned by our desires lies higher in the scale of feeling than the state of happiness which is possible without the gratification of those desires, and (*b*) that the intensity of desire depends upon the difference in these two levels of feeling. (*c*) A prominent theory on the *object* of desire is that what is desired is not an object or a feeling, but *existence*—the existence of some object or action of feeling. A curious development of this theory is that of Meinong, who teaches that all feelings of worth or value are feelings that arise from affirmative or negative existential judgments. Thus, according to this author, the "value" of any end x is proportioned to the sum of the pleasures and pains got from the two existential judgments together "x exists" and "x does not exist."

In all these theories the value of an object necessarily depends upon a calculus of pleasures and pains; and in order to facilitate this calculus they distinguish values into positive and negative—positive, when an increase in the object makes for the fulfilment of desire; negative, when a decrease in it makes for the fulfilment of desire.

Ethical values have in this theory two prominent characteristics—they promote the general good, and they are absolute, *i.e.*, they are independent of change in desire. Now on the nature of this latter characteristic valuists are very much divided. Some maintain that this absolute value is real, some that it is only apparent. Brentano, for instance, compares Ethical values to true (we take it that he means "necessary") judgments, and claims that Ethical values are *always* true values, just as true necessary judgments are *always* true. Ehrenfels, on the other hand, defends the imaginative character of absolute values. He contends that no values are absolute, but that, in the popular judgment, Ethical values assume an absolute form, or appear absolute, and for two reasons -first, because of the constant tendency of the human mind to turn the relative into the absolute; secondly, because *de facto* there does actually obtain in action an absolutely necessary relation—a relation of necessary truth—which we illegitimately regard as attaching to the moral character of acts. This absolutely necessary relation obtains between means and ends, for in every moral value a certain means is absolutely and truly necessary to some end. This absolute necessity, he says, the popular mind easily but illogically transfers from the means to the end itself, and in this way we come to regard our moral Judgments, which concern ends only, as absolute or categorical judgments—that is, as judg-

ments that certain things are categorically necessary. The popular judgment being then once formed, it is easy to see, Ehrenfels contends, how even the philosopher, misled by the popular fallacy, may proceed to build upon these spurious judgments a system of absolute or categorical morals. Ethics, concludes Ehrenfels, is therefore a spurious science, as long as it claims absoluteness for moral law. A genuine Ethics, he tells us, is not an absolute but a relative science, and it differs from the other parts of the "theory of values" only in the width of the desires to which it assigns values, for the characteristic of the Ethical desire is that it is a desire for the good of all men.

The question "in what the general good consists" again gives rise to differences of opinion among the valuists; some say it consists in the greatest pleasure of the greatest number, others in the satisfaction of the general common desire, others in the health bodily and mental of society, others in the complexus of all of these under the common title—"the satisfaction of our common needs."

There being, according to Ehrenfels, no true absolute value in objects, the value of objects may change. The principal factors in these value-changes will be those that follow on (*a*) changes of attributes in man himself, (*b*) progress in human knowledge, (*c*) change of social relations, *e.g.*, change from an aristocratic to a democratic form of Society, (*d*) changes in inter-social or inter-national relations.

One important part of the theory of Ehrenfels' is the claim that man is given by nature only a certain amount of energy, that this energy must feed the moral as well as the non-moral dispositions, that these non-moral dispositions are powers which need to be developed as well as the moral, and that consequently *we ought not develop the moral dispositions too highly, lest we fail in other respects. A perfectly good humanity would necessarily, say some valuists, mean a weak and a poor humanity.*

This rough outline of the theory of Values will make it clear to the reader that ethically there is very little that is new in the theory of Values over and above what belongs to Utilitarianism.

APPENDIX II

Hedonism and Utilitarianism—Their Reconciliation

To Hedonists and Utilitarians the question—whether and in what manner Hedonism and Utilitarianism may be recon-

ciled with one another—is not only an interesting, it is a vital problem. For it seems to us from our reading of the works of Utilitarian philosophers, to take their case first, that when Utilitarians sit down in a cool moment to consider the question which of the two ends—his own good or the good of Society—is of more importance to the individual, which of the two (if there be such a thing as a final end) is the final end of the individual, it must seem plain that the end of paramount importance to the individual man is his own good. Of course a man may be so interested in a certain part of Society that the happiness of that part is of more importance to him than his own. For instance, a father may think more of the happiness of his children than of his own happiness. But we are not speaking of such special cases here. We are speaking here of a general comparison of the good of the individual man with that of Society at large as the end, and we say that a Utilitarian ought to recognise that the end of most importance to the individual is his own good, or (which is the same thing for Utilitarians) his own happiness. To the Utilitarian therefore it becomes a vital problem whether or not it can be shown that the individual in seeking the good of other men is also promoting his own.

On the other hand, the Hedonist would seem to feel that unless his system can be extricated from the narrow rut of selfishness—unless it can be shown that the theory that our own happiness is the final end leads on in some way to the obviously more refined theory that in all our acts we should seek the good of the race—his system of Hedonism will be considered, and *is*, an ignoble philosophy, narrow, demeaning, and brutalising. Hence the endeavours of both Hedonists and Utilitarians to bridge over the gap separating the two systems.

Of the various methods proposed for reconciling the two systems of Hedonism and Utilitarianism, we can mention only a few—

(1) Some, like Mill, attempt to reconcile them on grounds of *pure Logic* by deducing the second theory from the first. Mill's attempted deduction of the duty of seeking all men's happiness from our duty to seek 'each his own' we have already noticed in this chapter. A similar attempted deduction is the argument that since each man's happiness is to count for one and nobody's for more than one, therefore no man's happiness is of more account to himself than the happiness of any other man. In other words, that because A.'s happiness is no more to A. than B.'s is to B., therefore A.'s happiness is no more to A. than B.'s is to A. This argument it is not necessary to refute.

(2) Others attempt to reconcile them on grounds of *Ethics*. Thus (*a*) we have Rashdall's and Sidgwick's argument that since each man maintains not only that his own happiness is an end, but is the *right* end or the end which he *ought* pursue, his duty is to seek the general happiness. This argument we have examined. (*b*) Some contend that by seeking the happiness of others we secure for ourselves the greatest of all pleasures—namely, the peace and happiness of a good conscience, and consequently that the law to seek the general happiness is the same in effect as the law to seek our own. This is the idea of Gizycki's principle—"Strive after peace of Conscience, by seeking in all things the good of Humanity." *

(3) Others attempt a *psychological* reconciliation either (*a*) through the passion of sympathy which, they say, at once induces us to do good to others and at the same time brings us pleasure when we do such good; or (*b*) through the supposed law of feeling that in order to get the maximum of personal pleasure we must indulge alternately the selfish and benevolent feelings, else the power of feeling would become fatigued. "Egoism," writes Spencer, "must be checked by intervals of altruism if our faculties are to recover the energy lost by pleasure."

(4) In some systems they are reconciled through a *metaphysical* theory of (*a*) the relation of the individual to the race or (*b*) of the reciprocal effect on one another of the individual and the social happiness. Thus (*a*) many recent Ethicians argue that in seeking the happiness of the race we are seeking the happiness of the true "ego" since the race is the true substance of the individual. (*b*) Others claim that to seek for the general good to the neglect of the individual good would be to render one's self unfit for benevolence; whilst unless we seek the general good we are sure to bring upon ourselves ultimate misery. The first theory is to be found in Seth. The latter principle is defended by Spencer, the second portion of it being adopted by Shaftesbury also. "It is certain," writes Shaftesbury, "that if a man were destitute of all wish for the Social good—that is, opposed it on all occasions—he would be thoroughly miserable. So if a man does anything against the social good he is doing a part of that which will ultimately cause him great misery."

(5) Butler, Locke, and Paley maintain that the reconciliation of Hedonism and Utilitarianism lies in *Theology*—that a benign Legislator, God, must ultimately secure the harmony of the two interests, the individual and the social.

* "Moral Philosophie," page 121.

As we said, this question is of a good deal of importance to Hedonists and Utilitarians. But to the Scholastic philosopher it is not of very great importance; and hence, though in itself it gives rise to much interesting speculation, we shall not quote our own view here beyond saying, first, that we do not think that Utilitarianism is a necessary growth out of Hedonism; and, secondly, that we believe that in the face of the facts of ordinary experience it would be impossible to show anything approaching a perfect identification of the private and the public good.

CHAPTER XII

"EVOLUTION AND ETHICS—A DISCUSSION OF THE ETHICAL THEORIES OF THE EVOLUTION PHILOSOPHERS"

EVOLUTION means growth—by the Evolutionist Ethics is meant the theory that morals are a growth, a growth from non-Ethical elements.

There are three principal theories of Evolutionary Morals—the Biological, the Psychological, and the Transcendental theory.

The theory of BIOLOGICAL EVOLUTION is a theory of the evolution of the *objective* laws of morals, such as the laws of temperance and justice. It is the theory that right and wrong and their laws, *objectively taken*, are only stages or conditions in the evolution of Life, the right being that which promotes Life, and the wrong that which impairs it.

The theory of PSYCHOLOGICAL EVOLUTION concerns not the objective laws of morals, but our subjective moral opinions and sentiments, and it explains these opinions and sentiments as evolved from certain mere non-moral feelings like those of pleasure and pain. This theory of Psychological evolution reduces all moral principles to mere subjective conditions of mind, and so its chief aim is to explain the origin of our moral beliefs.

The theory of TRANSCENDENTAL EVOLUTION explains the *objective* moral law, and our *subjective* moral opinions as two sides of one fundamental Evolutionary process—the evolution, namely, of the Absolute. Of this Absolute we shall give an explanation in the next chapter before discussing its relations to Ethics.

It will be seen that though these three theories are distinct they are not wholly contradictory, for the subject-matter of each is distinct. One treats only of objective moral laws, another of subjective moral convictions, the third of both objective and subjective, but under an aspect quite different from that considered in the other two systems. There is, then, nothing to prevent the same Ethician from advocating all three theories or any two of them. Indeed, most professed adherents of the Biological school belong to the School of Psychological Evolution as well, and some of those who profess the first two theories are followers of the Transcendentalist theory also.

Now, these three Evolutionary systems require separate treatment, and we will take them in the order in which we have given them above.

ETHICS OF BIOLOGICAL EVOLUTION

(*a*) ACCOUNT OF SPENCER'S THEORY

The most representative exponent of the theory of Biological Evolution is Herbert Spencer. To the discussion of his work, therefore, we shall devote ourselves in the present section.

The task which Spencer sets himself in his "Data of Ethics"* is that of explaining morality through the ordinary laws of evolution. That the world in general is subject to evolution he takes for granted, and he finds himself forced to bring morals under this general law of evolution by "finding that they" (the moral laws) "form part of the aggregate of phenomena which evolution has wrought out. If the entire visible Universe has been evolved, if the solar system as a whole, the earth as part of it, the life in general which the earth bears, as well as that of the individual organism—if the mental phenomena displayed by all

* Spencer's Ethical opinions are also given expression to in his work on "Sociology."

creatures, up to the highest in common with the phenomena presented by aggregates of these highest—if one and all conform to the laws of evolution, then the necessary implication is that those phenomena of conduct in these highest creatures with which Morality is concerned also conform." * In the light, therefore, of the law of Evolution, Spencer goes on to show that morally good conduct and highly evolved conduct are one. In the establishment of this proposition there are two steps. First, he shows that the conduct of man is not different in kind from that of the higher animals, and that the conduct of the higher animals is not different in kind from that of the lower. By "higher" in conduct is only meant the inclusion in conduct of more and more numerous ends. And this inclusion of more and more numerous ends is found, he assures us, always to accompany development in structure and function, the animal of more complex structure and function being capable of taking in more ends—that of less complex structure and function, fewer ends. Secondly, he compares highly evolved conduct as just explained with what he conceives to be the general content of our moral beliefs, and he finds that that which men call *morally good* conduct is exactly the same thing as what, on his first enquiry, he found to be highly evolved conduct. His conclusion, therefore, is that the laws of morality are only the laws of highly evolved conduct, and that these laws are not proper to man, but are the laws by which nature rules the conduct of animals as well, the difference of higher and lower being, as already explained, one of degree merely, not of kind. Let us now fill in some of the details of this remarkable system.†

(1) *Spencer's definition of Ethics*

Ethics, Spencer tells us, is the science of conduct. By

* "Data of Ethics," page 63.

† We are conscious of a certain want of proportion between the space here given to the consideration of Spencer's theory and the rest of our work. The nature and importance of the theory under review is our only justification for this defect, if it be a defect.

conduct he means *purposeful external* action. As external, conduct differs from function—function being purely internal. "We are concerned with functions in the true sense when we think of them as processes carried on within the body." But "we enter on the study of conduct when we begin to study such combinations amongst the actions of sensory and motor organs as are externally manifested." Not all external action, however, is conduct, but only *purposeful* external action. Purposeful action means co-ordinated action, action that is adjusted in some degree to an end outside the individual. The subject-matter, therefore, of Ethics is "the aggregate of all external co-ordinations (or purposeful actions); and this aggregate includes not only the simplest as well as the most complex performed by human beings, but also those performed by all inferior beings considered as more or less evolved." Thus, on Spencer's theory, man's action is not specifically distinct from that of the animals below him. Man is only the more highly evolved animal. And Ethics, though it has to do *more emphatically* with the more highly evolved animals (including men) and their acts, has not to do exclusively with human acts—its subject-matter is conduct or purposeful activity, whether of man or of animal.

(2) *Aim of the Evolutionary process.*

Spencer now proceeds to show that conduct, just like everything else, is subject to the laws of evolution. Throughout the world there obtains a law of evolution. One grade of being is obviously more evolved and, in that sense, stands higher than another, that again than another—the stages extending from the protozoa at the lowest to man at the highest point of the evolutionary series. This law of evolution extends, *first* of all, to structure—the lower stages being characterised by a comparatively simple, the higher by a more differentiated, structure; and, *secondly*, to function, the lower beings possessing but few, the higher very many and intricate, functions. But evolution of structure and function is,

he tells us, always accompanied by a third kind of evolution—viz., greater purposefulness of action, *greater adjustment of acts to ends or to environment*; in other words, more developed conduct.

This is very evident in the case of the lower animals. Bees, ants, horses, or elephants are evidently more evolved, in the sense of showing a greater capacity for securing far-away ends, than the snail and the fish. But the very same difference in purposefulness will be found to characterise the higher or more civilised man in comparison with the lower or less civilised. Thus he writes:—

"Between the shelter of boughs and grass which the lowest savage builds and the mansion of the civilised man the contrast in aspect is not more extreme than is the contrast in number and efficiency of adjustment of acts to ends betrayed in their respective constructions." This difference in human purposefulness must, as in the case of the animals, be an accompaniment of difference in structure and function. But the same three-fold variation of structure, function, and adaptation is more evident in the case of the lower animals than in the case of men. The more evolved the animal in structure and function the better adjusted are its acts in relation to its environment. It is, in fact, as a means to this finer adjustment of acts to ends and to environment that the animal is possessed of finer and more complicated structures and functions.

Now, what is the final aim of these powers of finer adjustment, or (the question is the same) what is the natural end and aim of this whole evolutionary process? The end is Life—greater duration and greater quantity of Life.

"The fish roaming about at hazard in search of something to eat, able to detect it by smell or sight only within short distances, and now and again rushing away in alarm on the approach of a bigger fish, makes adjustments of acts to ends that are relatively few and simple in their kinds; and shows us, as a consequence, how small is the average duration of life.

So few survive to maturity that, to make up for the destruction of unhatched young and small fry and half-grown individuals, a million ova have to be spawned by a codfish that two may reach the spawning age. Conversely, by a highly evolved mammal, such as an elephant, those general actions performed in common with the fish are far better adjusted to their ends. By sight, as well probably as by odour, it detects food at relatively great distances. . . . But the chief difference arises from the addition of new sets of adjustments. We have combined actions which facilitate nutrition, the breaking off of succulent and fruit-bearing branches, the selecting of edible growths throughout a comparatively wide reach ; and, in case of danger, safety can be achieved not by flight only but, if necessary, by defence or attack, bringing into combined use tusks, trunks, and ponderous feet. . . . Evidently the effect of this more highly evolved conduct is to secure the balance of the organic actions throughout far longer periods " ("Data of Ethics," page 13).

The end, then, of this whole evolutionary process is the attainment of complete life.*

(3) *Furtherance of complete life—its meaning.*

Furtherance of life, Spencer continues, does not mean its prolongation merely. It means increase of life, both in point of duration and of quantity. "Duration" needs no explanation. "Quantity" of life means the "sum of the vital activities during any given interval." Many of the lower animals live longer than man, but they have not the same quantity of life—that is, they do not exercise the same amount of activity in a given time. The highest end of conduct, then, is fulness of life in duration and in quantity, or, as Spencer puts it, "in length and in breadth."

It must not be thought, however, that by life as natural end of conduct is meant the life of the individual merely. The evolutionary process tends to the furtherance of all life, and, therefore, of the social life as well as of the individual. The lower animals are of comparatively simple structure and function, and are capable of comparatively little adjustment of acts to the preservation of the life of the species. Sometimes the young are left

* Spencer tells us that the promotion of life itself would not be good unless life generally brought us a preponderance of pleasure over pain.

to the care of nature altogether, as in the case of the Protozoa which preserve the species by breaking up into a number of individuals. Higher up in the line of evolution germ and sperm cells are just ripened and sent out into water, and left to their fate. But the higher animals go through a most complicated process of adjustment in order to preserve their young—man's efforts naturally being finest and most complicated of all. With evolution of structure, then, and function there goes ever a finer and finer adjustment of acts to the preservation and furtherance of the life of the individual and of offspring. These two form the two first and principal kinds of conduct—conduct, viz., directed to the preservation of the life of the individual and of the race.

But with these two the evolution of conduct is not complete. It is not enough for the complete furtherance of life that the individual be preserved and the race be propagated. We must (thirdly) *not interfere* with the lives of others. And (fourthly) we must *positively help* others even with some cost to ourselves. These last two kinds of conduct are not only the highest—they are also the only decidedly moral kind, or, as Spencer calls them, the "emphatically moral" kind, because, as Spencer explains, they are the only kind to the exercise of which we need compulsion. When these four are realised—the individual perfectly maintaining his own life, offspring perfectly looked after and trained as a means to a prolonged and full adult life, absolute non-interference with our neighbour's life (implying, therefore, a perfectly peaceful society), and the positive extension of aid to others as a means to their better living—then is conduct completely evolved.

Of these four kinds of conduct, however, the latter two stand in a very different relation to the law of evolution from the first two. For the *relation of the first two to the process of evolution is, according to Spencer, most evident, whereas that of the latter two is not evident.* It is not difficult to see that the first two kinds of conduct evolve *pari passu* with evolution of structure and

function. The higher animals attain to greater quantity of life and maintain their offspring more efficiently than the lower. But that cannot be said for the third and fourth kinds of conduct. Amongst the higher animals—that is, those of more developed structure and function—there is no apparent desire for the peace of society any more than amongst the lower. Their mutual antagonisms are just as many as amongst the lower, if they are not more numerous. Yet these are the very kinds of conduct that are, according to Spencer, most "emphatically moral." How, then, are they to be got into the evolutionary series? By a method which most readers will find not a little surprising. We are, he tells us, when we think of the higher animals and their antagonisms, led "by association" to think of the opposite of these antagonisms—viz., the friendly support of one race of animals by the other—and hence we are led to think that mutual support, and not antagonisms, must be the characteristic of the highest animals. Experience, he admits, does not tell us that that *is* the characteristic of the higher animals, still in the higher animals "there remains room for modifications which will bring conduct" up to this level, and hence these modifications *must* be regarded as present when we reach the highest stage.

(4) "*Evolution*" *and* "*moral beliefs.*"

Having, as he claims, succeeded in showing that it is the end of the evolutionary process to procure a maximum of life, and that this maximum is to be attained by the four kinds of conduct mentioned—self-preservation, preservation of offspring, non-interference with the lives of others, and positive care for the lives of others—Spencer goes on to show that the current notions of "*morally better and worse*," as conceived, first, by Ethicians, and, second, by men in general, correspond exactly with the notion we have just gained of "*the more and the less highly evolved*" in human conduct.

In the first place, he claims that practically all existing theories of morality accept the principle that the "good"

and the "pleasant" are one; similarly, the bad and the painful are one. But, on the other hand, the pleasant is also the life-maintaining, and the painful is the life-destroying. "Actions that are injurious to life are accompanied by disagreeable feelings and the beneficial ones by agreeable." Hence, the morally good and the life-maintaining are one, and the bad and the life-destroying are one. In his own words, "that which in the last chapter we found to be highly evolved conduct" (viz., the four kinds of conduct already mentioned, all tending to maintain life or health) "is that which in this chapter" (on "Theories of Good and Evil") "we find to be what is called good conduct—that is, they are pleasurable, and the ideal goal of the natural evolution of conduct there recognised, we here recognise as the ideal standard of conduct Ethically considered."

In the second place, he maintains that not only Ethicians but even ordinary men take the same view of morality that the Evolutionist takes of the gradation of conduct. But in order to establish this second proposition Spencer, instead of speaking of conduct in the abstract, proceeds to consider the various sides or aspects of conduct, and analyses our moral ideas in regard to each aspect.

Conduct, he says, has four aspects—first, a Physical aspect; second, a Biological aspect; third, a Psychological aspect; fourth, a Sociological aspect. Conduct on its physical or outward side is external movement. Now, the movements of the more highly developed animals are characterised by two things—complexity and co-ordination. The movements of the fish are few and comparatively aimless. Those of the bird (in building-time, for instance) are many but unified.* So also (here we meet the first point of comparison with our moral ideas) in the common conception of morals the good life

* Spencer is wrong here—the movements on their mere physical or external side may be many, but of themselves, that is, as physical, they are not co-ordinated. It is the inner impulse or end that co-ordinates them.

is always regarded as a coherent life, a life of *moving equilibrium*—a life perfectly adjusted to the whole world. There is in it neither excess nor defect. It forms one consistent whole. In this, therefore, according to Spencer, we have an undoubted parallelism between Evolution and Ethical convictions.

Secondly, there is the Biological aspect. All movements proceed from inner functions,* and the conduct of the higher animals is characterised by "balance of function"—that is, one function is not exercised at the expense of any other. So, too (comparing again), for the common mind the good life is that in which every function is duly exercised.† Again, in Biology, the mark of the inner balance of functions is pleasure, that of their discordant exercise pain. And in the same way, turning to Ethical opinion, we find that to the common mind the good is that which brings a surplusage of pleasure, the bad that which brings pain. The parallelism, therefore, of evolved conduct and morals is borne out by Biology.

Thirdly, conduct has its psychological side—*i.e.*, it proceeds from the feelings as *deliberate* motives of action.‡ The higher the animal the more complex the feeling, and, therefore, the further away are the ends aimed at, and, consequently, the greater is the adjustment attained in reference to the whole environing world. Comparing this with our Ethical views, the good for the common mind is always regarded as a *last* end. Present pleasures are not usually accounted good. (Departing somewhat here from the purpose of the argument in order to explain the conception of obligation, he adds that the faculty of "will," in so far as it is the faculty by which

* Why does Spencer here introduce the inner function? Did he not define conduct as external co-ordinated action?

† The value of this statement of Spencer's must depend on the interpretation of the word "duly," which is highly ambiguous.

‡ In describing the second aspect Spencer also spoke of feeling, but in a different connection. He there spoke of it—first, not as a motive of conduct, but as springing from inner function; and second, as indeliberate. Under the psychological aspect he speaks of feeling, not as related to function, but as related to outer action, and as deliberate.

we pursue far-off ends and restrain the desire for present ones, comes easily to be personified into the conception of an *authoritative* society or even of God. Will, as a restraining faculty, gives us also the idea of control, which in its most abstract form becomes the idea of moral obligation.) On the Psychological side of conduct, therefore, the parallelism is still further illustrated.

Fourthly, conduct has its Sociological aspect, and in this the parallelism is most pronounced of all. For Sociological Evolution explains not only the basis of the laws of conduct, but also the variation in our moral beliefs. Higher conduct is at once a striving after our our own pleasure and that of Society. "At the outset these ends are not harmonious." * Their perfect harmony will be the last step in the evolutionary process. The degree of adjustment to environment already attained determines at each stage the laws by which further harmony is to be secured, for, at different places and at different times the individual stands variously related to Society. Comparing this with our ordinary views of morality we find that men's ideas of right and wrong vary very much with times and places. For one set of people the law is, "Love even your enemies"; for another, "Kill every one that is not of your tribe." Between these are innumerable compromises. Actual or *empirical* Ethics—that is, the Ethics of any particular age—is always a compromise.

Absolute Ethics will rule the world only at the end—*i.e.*, when the individual shall have become perfectly adjusted to Society. Such adjustment is to be attained by the development of the passion of sympathy, for development of sympathy must tend to make conduct altruistic. But sympathy is two-fold—sympathy with joy and sympathy with sorrow. Sympathy with sorrow pains, and therefore impairs life. Sympathy with joy

* Again we notice the weakness referred to before. Spencer cannot show that the more highly evolved animals have more care than the lower evolved for the life or happiness of the whole race of living things, or even of their own tribe. He simply takes the altruism of the higher animals for granted.

pleases, and therefore increases life. Hence, it is only when all sorrow shall have ceased that sympathy will have reached its full efficiency as a world-force. Then we shall have no difficulty in doing good to others. At present the difficulties of the moral life are many. The good to-day is always mixed with evil. It is never perfect good. At its best the good can at present be only "the least wrong."

Thus Spencer claims to have shown that morality as expressed in our moral opinions depends on evolution, that it is only part of the universal process of evolution, and develops concomitantly with the rest of the living world.

Note on Leslie Stephen's Biologico-Sociological Theory.

Before proceeding to the criticism of Biological Evolution we have something to say on the subject of Leslie Stephen's theories, for any account of Biological Evolution which did not contain a reference to him would be incomplete. He has developed the theory of Spencer on its Sociological side. Like Spencer, he starts out from the Evolutionary standpoint, and his task is to explain from that standpoint not the laws that *ought* to exist, but the moral laws that *do* exist, or, which is the same thing, the laws that are actually enforced amongst us. He begins by taking it for granted that the law of Evolution prevails universally, and that therefore it governs morality as well as everything else. "The exposition and establishment of the theory of evolution lies beyond the Ethical problem, and is one of the data which we must be content either to repudiate, or (as I do) take for granted" ("Science of Ethics," page 80). The task which he sets before himself is that of explaining morality, or, which is the same thing for Leslie Stephen, our moral sentiments and beliefs from the Evolutionary point of view. Besides taking the law of evolution for granted he also takes for granted two other things—first, the proposition that to the common mind the Moral good and that which brings happiness to Society are one. "Goodness" is, he admits, a very crude conception; but in showing how the law of evolution affects conduct he will also fill in this crude conception, and thereby give us what he calls the "scientific form" of Morality. Second, he takes it for granted that all moral beliefs reduce to sentiments or feelings, that reason is "a vast complexity of feelings," and that reason-

able conduct is a "process of forming a certain hierarchy in which the separate special instincts" (or feelings) "are subordinated to the more central and massive." By this last assumption he hopes the more easily to bring moral beliefs under the law of evolution. These three propositions are the most essential in Leslie Stephen's Ethical system. But we caution the student that he will not find them thus brought together in Leslie Stephen's book, nor laid down in the same form, nor always in the same words as those in which we have summarised them here for convenience.

Leslie Stephen asks the question—is such a thing as a scientific idea of morality possible? In support of the negative view there is the argument that a scientific idea connotes at least some general agreement amongst men, whereas moral opinions vary at every age and in every new set of circumstances. But Leslie Stephen adopts the affirmative view, and argues that though beliefs vary, they are not opposed, and they are all partial views of the whole truth. Every moral belief, he asserts, corresponds to and is true for a particular stage in the evolution of man, and it is the business of Ethics to pick out the underlying permanent element in all these beliefs. This underlying element will give us the essential notion of goodness in the abstract. It will be the definition of the "good."

Now the good, according to Leslie Stephen, being that which promotes the welfare of Society, he proceeds to enquire what is the relation of the Individual to Society. In the first place, he holds that Society is not a mere aggregate of individuals—it is an organism. It is not, to use the language of Biology, a mere collection of cells—it is *tissue*. But, secondly, Society exists previously to individuals fully made. Individuals are formed by the social tissue and in response to the mutual pressure of part on part of the whole organism. How can this be? How can mere pressure from environment form a man? It can form him in Leslie Stephen's theory, because man is a mere bundle of feelings, and feelings are aroused, altered, created, and extinguished in an individual by influences from without. The whole process of evolution, then, is, on this theory, a process of shaping or adjusting the individual to Society. Some conduct will help to that adjustment, other conduct will impede it.

We are now, according to Leslie Stephen, at the point where conduct divides itself off into good and bad, or rather where our feelings divide themselves off into feelings of approval for certain kinds of conduct as morally good, of disapproval for others as morally bad. As we saw before, goodness and badness are respectively the pleasure-producing and the pain-

producing in reference to Society. How then can we connect these two with the law of evolution or of adjustment to social environment? Very simply. When the parts of a watch are adjusted to the whole watch, then we have an efficient watch. When the organs of the body are adjusted in relation to one another and to the whole body, then have we an efficient body—a healthy body, and the result is pleasurable activity. Non-adjustment brings inefficiency, want of health, and pain. So also acts that further the adjustment of the individual to Society are health-producing acts. Those that prevent adjustment bring inefficiency. Hence those acts that promote the health of Society we regard as good. Those that have the opposite effect we regard as bad. Evolution is the process of greater and greater adjustment of the individual to Society.

Now, the acts that promote adjustment at one period and in one set of circumstances will not promote it in another, just as the same medicine that helps digestion at one period will not help it at another; and just as the effect of medicine on the body depends largely on the previous state of the body, so also the effect of an action on Society depends upon the degree of adjustment of individuals to social environment already attained. Hence our moral sentiments change with times and circumstances. But they are all true for their own period and their own circumstances. The moral code of one age and country is not that of another—but all codes are right.

The whole moral law then arises from the fact that individuals are a part of the social organism, that we are born, not into a merely disorderly aggregate or chaotic crowd, where any place and any act or movement would be as good as any other, but into an organised army where, if we would not suffer pain or even be crushed out of existence, we must "learn to keep step and rank and to obey orders."

The moral law is therefore, according to Leslie Stephen, "a statement of the conditions or part of the conditions that are essential to the vitality of the social tissue,"* and the criterion by which we shall know what acts make for vitality is their capability for advancing health. By health Leslie Stephen means health bodily and mental.

This, Leslie Stephen asserts, is the permanent law of morals which is present in all our changing moral sentiments. But, according to our author, there is another point of importance. Our sentiments not only vary naturally from age to age, but even from one period in the life of the individual to another. Even the introduction of a new circumstance may completely

* "Science of Ethics," page 148.

alter our belief about the moral law. We see this even in the case of good men, who to-day assert that lying is bad, and who to-morrow will tell a lie, let us say, to save their country, and think that they are right in doing so. This would seem to destroy the invariability of the moral law altogether, whereas surely a moral law must have some stability. But, according to Leslie Stephen, the case just mentioned does not affect the stability of the law. For the moral law refers not so much to acts as to character, and character does not change even where action changes. The moral law is not "Do this," but "Be this." The content of the "do" may change, while that of the "be" remains the same. Thus a man must always *be* trustworthy, but there are times when he may and even *must* tell lies. Untrustworthiness can never help Society, but it may be necessary for the good of the State that a man should tell a lie, and in that case he "will lie and lie like a man." The man, according to Leslie Stephen, who tells a lie to save his country is still trustworthy, and consequently observes the law of trustworthiness.

Such are the central points of Leslie Stephen's theory. Our statement of them may be found useful by a student who is about to read Leslie Stephen's book—a book which he will not find it easy to comprehend.*

(*b*) CRITICISM OF THE ETHICS OF BIOLOGICAL EVOLUTION

(1) *Is the moral law subject to evolution?*

We must now answer the question—whether the moral law evolves? And first, does it evolve *subjectively*—that is, do our conceptions of right and wrong evolve? Secondly, does it evolve *objectively*—that is, can what is right at one age be wrong at another, and *vice versa*? As regards the first question we reply that some of our moral conceptions evolve, since it is possible for man to

* There are many other forms of Biological Ethics besides those of Spencer and Leslie Stephen. For instance, there is the naturalistic theory of Littré, which grounds all morals in certain purely physiological tendencies. The moral sentiments, according to this author, all reduce to two things—egoism and altruism; and those sentiments are respectively based on the two physiological needs of self-preservation and the preservation of the race. To these sentiments Littré adds a third, that of justice, which, strange to say, though treated as a sentiment, is purely intellectual in character. Such theories as these it would, we believe, be waste of time either to develop or criticise.

advance in knowledge; and we advance in our knowledge of morals in somewhat the same way as we advance in our knowledge of geometry—viz., by the acquiring of new truths. But advance in our knowledge of morals is confined to conclusions or secondary principles. For, just as in the case of Geometry we do not advance in our knowledge of the axioms, so neither do we advance in our knowledge of the primary moral truths (which, as we saw, are certain self-evident moral principles and known to all men), except in the very limited sense that we can acquire a more complete recognition of the place and meaning of these principles in our moral system, and can attain to a more exact formulation of them and of their distinction from other mental assets.*

The possibility, however, of subjective variation in our beliefs is not the question of most interest to the Biological Evolutionist, but rather the question of the possibility of *objective* variation—whether, namely, what is objectively right at one age can be objectively wrong at another, or whether the laws of morality objectively taken vary and evolve.

(*a*) To answer this question we must distinguish between the *applications* of the primary principles and the primary principles themselves. The applications of the primary moral principles to individual acts must vary to a very large extent, since the circumstances of the individual act may vary. For instance, the mode of supporting the State in one age is not that which suits another. But the primary principles of the moral law themselves are not subject to variation or development, since these primary principles are founded on the nature of man—on the essential properties of human nature; and the essential properties of human nature are not subject to change any more than the properties of the triangle or the fundamental laws of mechanics are subject to change.

* This question of subjective variation is treated more fully in our chapters on Intuitionism and on Syndesesis. The kindred question of the evolution of moral beliefs from non-Ethical elements is treated in our section on Psychological Evolution.

We have already seen what some of these primary laws are. They are laws that depend on the existence in man of natural appetites—appetites that no man is without or has ever been without, appetites that are essential to him in his various capacities, as substance, as animal, and as rational being. Other things in man may change. He may lose a foot or a hand, or he may change his appearance and shape according to his employment and environment. But these fundamental appetites, the appetite for self-preservation, for food, for racial continuance, for Society, cannot change. They are natural appetites. Of some of them even Leslie Stephen says that without them the race could not survive a generation.

The primary natural laws, then, do not vary or evolve because nature itself cannot evolve. The nature of an animal or of man is the same to-day as it always was, just as the nature of a triangle or of a circle is always the same.

(β) In the foregoing answer it will be noticed that we have based our view of the permanent character of morals on the permanence of human nature. But the question arises—granted, for the sake of argument, that the nature "humanity" is invariable, still may not the possessor of human nature be evolved? And supposing that man is evolved from animal, or supposing that now he is progressing towards some other nature—for instance, that one day he will be an angel and not a human being—is not the moral law in either of these cases subject to evolution, and is it not, as a consequence, variable?

We reply that even if man be evolved * from the brute, and even if men should some day cease to be men, and should become angels, still the primary principles of the natural law holds always for *men*, since it is founded on our nature as man, and, therefore, we are subject to our present moral law as long as we are men. The human

* We claim, and shall show in the next section, that though some things may decay or evolve in man—for instance, a limb or the shape of the body generally—still *man* does not evolve. He neither was a brute nor shall be an angel. The present argument then deals merely with a hypothetical case—what if man be evolved?

moral code, therefore, would still bind men, even though they were evolved from lower beings. Thus, even if man be evolved, truth and justice and temperance would still be human goods, and their opposites human evil; in other words, the law of good and evil would not be altered. A man's duty is determined by his human nature, by his natural appetites and their natural objects, just as what is good for an animal is determined by the animal nature. But man's human nature is what it is, and his appetites are what they are, whatever be man's history. In determining the moral code, therefore, a Scholastic philosopher does not ask about man's origin; whether, for instance, he came from the brute, whether Reason is developed from sense, or speech from mere animal expression of feeling. He merely considers man as he is, asks what his human nature is, and what are his natural needs; and on the consideration of these essential needs and their objects he constructs his moral code. The code, therefore, of *human* morals does not vary or evolve.

Now, to the above line of argument we think that the reader may raise two different objections. First, it may be objected that in the foregoing line of reasoning we assume that our human nature is essentially distinct from every other, whereas if man be evolved (an hypothesis which we are here granting just for the sake of argument)—that is, if the human and the brute natures melt into one another gradually and imperceptibly, there could be no such thing as a *distinct* human nature (distinct, that is, from that of the brute)—that, on the evolutionary hypothesis, human nature would be only a better brute nature, and the laws of human conduct only the brute laws, but elevated and refined; and that hence the moral law may be subject to evolutionary changes. As well, *we answer*, might we say that because the colours of the spectrum melt into one another imperceptibly, therefore green is only another kind of yellow, and purple another kind of green, as to say that human nature cannot be essentially distinct from other natures on the hypothesis

that it evolves out of them and is continuous with them. The fact is that colours are absolutely distinct from one another, no matter how they melt into each other. So also man's nature is distinct from that of the brute, no matter how man may be related to the brute in origin, and the only difficulty in the case is the difficulty of explaining, not how our human nature can be distinct from that of brutes, but how of things so radically and so obviously distinct one could have sprung out of or be continuous with the other. But that is a difficulty for the Evolutionists, not for us. Our contention is, therefore, that even if man were sprung from brutes, he would still be subject to the moral laws, because these laws bind him in virtue of his human nature.

Secondly, there is the difficulty that on the Evolution hypothesis, even though developed man is bound by *human* law, it is impossible that *primitive* man should have been bound by it, since primitive man was man in a very imperfect sense only. And to bring out the point of the difficulty we would illustrate it by the analogy we have used already—thus, if the line where green meets yellow is neither green nor yellow, how could the moral code of those beings which formed the link between animal and man (granting for the moment that such a process as that here supposed took place) be a human code, or a code of human morals?

We reply—At no time was there a possibility of a special moral law (we speak here of the primary laws only) intermediate between the laws that govern the brute species and the moral laws of developed man. For the primary natural laws bind every man, and primitive man was man from the very first moment that he became possessed of Reason—that is, from the first moment that he became capable of apprehending a universal—but not a moment before. From the moment he came into the possession of Reason, therefore, he was bound by human law, and until that moment there existed no human law, since until that moment *man* did not exist. The first man, therefore, was bound by all the primary precepts

of the natural human code; and before him there was no such thing as a human code. And in the same way, if man should later develop into an angel, he will still be bound by the human code as long as he is man—that is, until he ceases to be a Being composed of body and soul. Hence, the moral law does not vary in its primary principles, and even if man has been evolved from some lower creation, a supposition which we grant for argument's sake only, still the moral law is not evolved and is not subject to variation. The primary principles are the same for the first man as for the last.

(γ) We have now seen that the primary precepts of the human moral code do not vary or evolve even though man himself be evolved. But we must here meet the argument adduced by Spencer that the moral law must evolve, because morality is a part of a Universe which is in its entirety subject to evolution. "If the entire visible Universe," writes Spencer, "has been evolved . . . the necessary implication is that those phenomena of conduct with which Morality is concerned also conform" (to laws of Evolution).

In this argument there are two assumptions—first, that the whole Universe has been evolved, and, second, that if the Universe is evolved then the moral laws and moral conduct must as part of the Universe be subject to evolution. The second assumption we shall for the present, and for the sake of argument, allow to pass, although it is quite open to us to assert, first, that even if the whole visible world were subject to evolution a rational nature might not be subject to evolution; and, second, we have shown that even if our rational nature were evolved the moral law need not evolve. But we shall here consider the first assumption only, that the whole world, physical and mental, has been evolved, and our only duty in relation to it is to show that the assumption is unproved.

(2) *Universal evolution an unproved assumption.*

On Spencer's theory the necessity of the evolution of morality is, as we have said, based entirely upon the

assumption that the whole world is subject to evolution. Now, this assumption, in order to be made the basis of the whole theory of morals, should itself be absolutely certain. If it be not certain no trustworthy theory could be built upon it. We are, therefore, justified in asking is the assumption certain—does it represent an incontrovertible fact? We claim that it is not certain, that it does not represent an incontrovertible fact, and that hence the system of Ethics that is built upon it is vitiated and unreliable from the very start.

No scientific assumption could be regarded as certain on which scientists are not universally, or almost universally, agreed. But the theory of Universal Evolution is not universally agreed upon. On the contrary, it is the theory of Extremists merely, and recent investigation is, on the admission of the most trustworthy scientists, dead against it. And even the extremists who still profess it do so, it seems to us, not because investigation leads them to do so, but in spite of investigation, and merely as an hypothesis that may some day be brought into harmony with the known facts.

In support of this contention it will be enough to show, on the testimony of evolutionists themselves, that there are *gaps in nature* which Evolutionary science is quite unable to bridge over—that is, that there are cases of species which, so far as Science can ascertain, are not evolved from any other species, but are simply, so far as can be seen, original parts of the universe. This having been established, it will follow that the assumption of Universal Evolution is an unproved hypothesis.

Let us quote the testimonies of some scientists on the question before us.

Herr Du Bois-Reymond, of Berlin University, an avowed Evolutionist and Materialist, so far from admitting that Science has shown that the law of continuity or of Evolution is universal, declares that the Universe confronts us with seven problems or Enigmas for which science can offer no solution. These are:—(1) The nature of Matter and of Force, (2) the origin of

Motion, (3) the origin of Life, (4) the apparently designed order of the Universe, (5) the origin of sensation and of consciousness, (6) the origin of rational thought and speech, (7) Free-will. The first, second, and fifth of these enigmas he regards as transcendental and beyond the possibility of solution. The others in his judgment may *perhaps* be solved some day.*

Of these enigmas, however, we shall here consider only two—namely, the third and the sixth.

(3) *Evolutionary theory of the origin of life not certain.*

There was a time when life did not exist on the earth.

"There has been," says Virchow, "a beginning of life, since geology points to epochs in the formation of the earth when life was impossible, and when no vestige of it is to be found."

"There was a time," says Tyndall, "when the earth was a red-hot molten globe on which no life could exist."†

How, then, did life arise on the earth? Professor Huxley asserts that it must have come into existence by spontaneous generation—that is, it must have proceeded out of dead matter; and he makes this supposition because it is, he believes, the only one which is agreeable to Science. Now, for many years, and in every department of enquiry, in Chemistry, in Biology, and in Geology, scientists have been labouring to establish this assumption which Huxley would scarcely regard as a mere assumption, so agreeable is it to Science and the scientific mind; but, on their own testimony, it is not yet nearly established, nor likely ever to be established.

"Of the causes which have led to the origination of living matter," writes Huxley himself, "it may be said that we know absolutely nothing. . . . Science has no means to form an opinion on the commencement of life—we can only make conjectures without scientific value."

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*Quoted from Father Gerard's "The Old Riddle and the Newest Answer." We wish to state from the outset that we are not an authority on the general subject of Evolution. Nor is it necessary that we should be so for the purposes of our present question. Our task is to show that the Evolutionary philosophers themselves are not agreed about, and are not likely to agree about, the Universality of Evolution.

†Quoted from Gerard, page 46.

And Tyndall :—

"Here, as in all other cases, the evidence in favour of spontaneous generation crumbles in the grasp of the competent enquirer." *

And Darwin :—

"No evidence worth anything has as yet, in my opinion, been advanced in favour of a living being being developed from inorganic matter."

Again, M. de Quatrefages sums up the results of his own minute studies on the lowest forms of life, thus :—

"I make bold to affirm that the deeper Science penetrates into the secrets of organisation and phenomena, the more does she demonstrate how wide and how profound is the abyss which separates brute matter from living things."

And Professor Virchow (the eminent Evolutionist), speaking at the Munich Congress of 1877, said :—

"Whoever recalls to mind the lamentable failure of all the attempts to discover a decided support for the *generatio acquivoca* in the lower forms of transition from the inorganic to the organic world will feel it doubly serious to demand that this theory, so utterly discredited, should be in any way accepted as the basis of all our views of life." †

Nor are the scientists of more recent date any nearer to the solution of the problem than Huxley and Tyndall were.

"The more closely," writes G. V. Bunge,‡ . . . "and the more deeply we examine the phenomena of life the more we come to see that processes which we had thought to explain as results of physical or chemical laws . . . simply deride every attempt at a mechanical explanation."

And Dr. Hertwig § writes :—

"The development of the eye and ear . . . cannot be regarded as a mechanical process. And the same can be said of every process of development, for everywhere we meet with a factor which is absolutely distinct from any form of mechanism—a factor, too, which has the principal part to play in the cell-organism."

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* From Gerard, page 55.

† From Gerard, page 66.

‡ "Lehrbuch der Physiologie des Menschen" (1905). Quoted from Wasmann's "Die moderne Biologie und die Entwicklungstheorie," page 245.

§ "Universal Biology" (1906). Quoted from Wasmann.

To the same effect we have the recent declarations of the Evolutionary physiologist, Hans Driesch,* who now rejects as groundless the "Maschinentheorie" which once he defended.

"In the course of the individual development," he writes, "all eggs have originated in the breaking up of one cell. How can a complicated *piece of machinery* continue to divide itself up in this way and yet always continue to exist? It is impossible, and consequently we may regard the machine-theory as overthrown." †

We close this series of testimonies by a quotation from Dr. Wilson, the eminent Professor of Zoology in the University of Columbia. Summing up the results of recent science in regard to this question of the development of life from non-living matter, he writes ‡:—

"It is true that we may trace in organic nature long and finely graduated series leading upward from the lower to the higher forms, and we must believe that the wonderful adaptive manifestations of the more complex forms have been derived from simpler conditions through the progressive operations of natural causes. But when all these admissions are made and when the conserving action of natural selection is in the fullest degree recognised, we cannot close our eyes to two facts, first, that we are utterly ignorant of the manner in which the idioplasm of the germ cell can so respond to the influence of the environment as to call forth an adaptive variation; and, second, that the study of the cell has on the whole seemed to widen rather than to narrow the enormous gap that separates even the lowest forms of life from the inorganic world."

(4) *The evolution of Reason not proved.*

Everything that can be said of the relation of the inorganic to the organic world—that history has left no trace of any transition between them, that experiment, wide-extending and long-continued as it has been, has failed utterly to bridge over the chasm between them, that the more science advances the less seems to be the chance of finding the link that is to bind one species to the other, all this holds with equal force in the case of the relation of animal to man. History has left us no trace

* From Wasmann, page 348.
† Wasmann, page 249.
‡ "The Cell in Development and Inheritance" (1906), page 434.

of any link between them. Experiment has failed utterly to produce out of the animal consciousness anything approaching even to Reason, and the most recent discoveries in palæontology have only helped to destroy the hopes of the Darwinists that sooner or later the earth would yield up out of its hiding-places the long-looked-for link between animal and man.

The attempted proofs of evolutionists in this matter are not of a very high order. Some Darwinists have been wont to point out certain likenesses between the sense powers of the animals and Reason as proof of the possible origin of the latter from the former, and of the possible future development of present brute-powers into a power of Reason. Now, between animal and man some likenesses are to be expected, both as regards action and as regards knowledge. It would be a strange thing, indeed, if sense, which is a genuine source of knowledge, did not evince in its effects some likeness to Reason.* But, judging by the analogy of the Comparative Sciences generally, we should think that the relation between sense and Reason is to be discovered, not by emphasising certain very trifling points either of likeness or of difference in the effects of these two powers respectively, but by considering these effects in the broadest possible manner—by considering, for instance, the general character of the works of men upon the earth and the progressiveness of which these works are the certain witness, and comparing them with the general unprogressiveness of animals. And comparing sense and Reason in this way, we find that whereas there are innumerable races of animals in the world to-day, yet in not one of these races is there the slightest sign of a possibility that it will one day develop into a race of rational beings. Man is a creature of development, the brute beast is incapable of development. The animals of the forest, the cattle in our fields, reach their full perfection before they are a couple of years old; and that degree of perfection which is marked out for them, not,

* The "ratio participata" of Aquinas.

indeed, by their own exertion, but by nature itself, they never seem capable of exceeding. The most intelligent animal of our acquaintance is no nearer to producing the simplest work of man than were the animals of thousands of years ago. Animals have no history, and are capable of none. They simply live and die, and of their labour no result appears. In this inability to develop beyond a certain point we have a most striking proof of the impassable gulf that separates sense from Reason, animal from man. And of this inability it is easy to assign the reason. Sense cannot rise above the passing individual impression. Man can think of the most universal relations. The animal lives only from moment to moment, from feeling to feeling, whereas for development we have to think beyond the present, and, indeed, beyond all individual conditions We have to gauge the future from the past, to consider invisible and immaterial relations beyond the reach of sense—we have to fashion and to follow ideals. Hence, development is not possible for the animal species.

Some claim, indeed, that if animals had language they would develop just as men. But is not this an utter subversion of the evident order in which language stands to Reason? Language is not the ground of Reason, but is itself made by Reason. Language supposes a power of thinking, of using symbols—that is, a power of abstracting from the individual thing and thinking many individual things under the one symbol. This only a rational being can do. Only Reason can abstract and universalise. No animal has ever used a symbol. It has never known, and could never know, the meaning of "x" or of "y" as a symbol of quantity. But language is nothing else than the expression of thoughts and things in symbols; and, therefore, Reason is the ground of language, not language of Reason, and to claim that if animals had language they would become like to rational beings is to put the effect in the place of the cause.

But our principal aim in this section is to show, not that Universal evolution is not and could not be true, but

that it is not proved or certain. And, therefore, we go on to quote some testimonies of scientists to the effect that the supposed evolution of man from animal has not been established by Science, but is still a mere hypothesis.

On this point we have the decisive testimony of Wallace, who, "while he agrees with Darwin that man must be a descendant of apes as to his bodily frame, maintains that his higher mental and moral faculties must have had another origin." *

Also of Mivart, a convinced evolutionist, whose "Reason abundantly sufficed to convince him that there was a wider break in nature between man and the highest ape than between the highest ape and an oyster." †

And Spencer himself, though he does not believe that the transition from animal to man is impossible (on the contrary, he regards it as *necessary*), still seems to recognise an essential difference between animal and man when he says, speaking of certain correspondences found to be present in movements executed by thought, that he finds this

"higher order of correspondence in time scarcely more than foreshadowed among the *higher animals* and definitely exhibited only when we come to the human race." ‡

And again :—

"The animal's nervous system is played on by external objects . . . it cannot evolve a consciousness that is independent of the immediate environment." Yet we know that it is the privilege of reason to think beyond the widest bounds of environment.

These testimonies go to show that there is something in human Reason that could not possibly be developed out of the animal faculties.

Lewes, also, in his "Problems of Life and Mind," says that

"brutes have no conceptions, no general ideas, no symbols of logical operations."

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* Quoted from Dawson's "Modern Ideas of Evolution."
† Gerard, page 73.
‡ From Mivart's "Lessons from Nature," page 203.

And he regards the absurdity of thinking that brutes could be rational as so glaring that

"we need not wonder at profoundly meditative minds having been led to reject with scorn the hypothesis which seeks for an explanation of human intelligence in the functions of the bodily organism common to man and animals."*

Müller, also, in his work on "Physiology," clearly lays it down that

"the cause of this difference between man and beasts does not lie in the comparative lucidity or obscurity of the impressions made on their minds respectively; for in this respect there is no superiority in the human mind. . . . I am therefore of opinion that the human mind also would never derive from the mere experience afforded by the senses and from habit, the general abstract idea of causality unless it had a certain power of abstraction, &c."†

These testimonies are confirmed by recent writers on palæontology, who claim that so far at all events as that science goes, the possibility of man having developed from the brute is remote in the extreme. The missing link, in spite of much energy spent in the search for him, is still missing. And the search for him has only helped to confirm the already well-grounded judgment of many of the soberer school of Evolutionists, who believed not only that mind was not an evolution from sense, but that the human body ‡ also was not an evolution; that it appeared on the earth suddenly and without any precursor. Skeletons and skulls have, indeed, on various occasions been discovered which, it was thought, supplied the link, or something like the link, between animal and man. But the results of the investigations to which these facts gave rise were thus summed up by Professor W. Branco (Director of the Geological-Palæontological Institute of the University of Berlin) in 1901:—

"Man confronts us in the bowels of the earth—a true *novus homo* . . . He appears to us quite suddenly in the post-tertian period, without any forerunners. Tertiary human

* From Mivart's "Lessons from Nature," page 220.

† From Mivart, page 220.

‡ Even if man's body were evolved from that of the brute, we could not speak of *man* as evolved, except mind also was evolved from sense.

remains are wanting utterly, and the traces of human activity which it was believed the tertiary period preserved to us are of the most doubtful character. But post-tertiary human remains we have in plenty; and post-tertiary man confronts us –a fully developed *Homo Sapiens*. Most of those primitive men had skulls of which any man might be proud. They had neither long ape-like arms nor ape-like teeth. No, post-tertiary man was in every way a genuine human being." *

These testimonies will suffice to show that Spencer was not justified in his assumption—an assumption on which he attempted to base the whole science of Ethics—that the whole Universe is subject to Evolution, and that the Moral law, as part of the Universe, must be subject to the same.

(5) *Spencer's argument from parallelism between development of structure and function, on the one hand, and conduct on the other—an unsound argument.*†

Spencer attempts to show that human or moral conduct is nothing more than highly-developed animal conduct not only indirectly, by his assumption that Evolution obtains universally in the world, but also directly, by showing that conduct evolves *pari passu* with development of structure and function. This argument we have already drawn out at considerable length in our account of Spencer's theory, and it only remains for us now to show that the argument is unsound and inconclusive.

* Wasmann, page 488.

On the general question whether any one species develops out of another it is not within our province to speak in this work. It is well, however, to remember that the possibility of transformation of one species into another is by no means an established fact, as the following testimony from Y. Delage ("Hérédité," page 184) makes abundantly evident :—"Je réconnais sans peine que l'on n'a jamais vu une espèce en engendrer une autre, ni se transformer en une autre, et que l'on n'a aucune observation absolument formelle démontrant que cela ait jamais eu lieu."

M. Y. Delage, it should be remembered, is an Evolutionist.

This assumption, however, that no species has ever been known with certainty to have developed from another, though mentioned here, is, as we have shown above, no necessary part of our argument against Evolutionary Ethics.

† Some excellent remarks on this part of Spencer's theory are to be found in a series of articles in the *Revue Néo-Scolastique* of 1900, by M. J. Halleux. This chapter was fully written before we had seen these articles.

Leaving aside all minor points, we shall here call the attention of the reader to that portion of Spencer's argument in which he deals with what he calls *emphatically moral conduct* (we should add, "*and emphatically human conduct*")—that is, conduct which is, in the admission of all men, moral, as opposed to the lower kinds of conduct which not all would admit to be moral. In treating of kinds of conduct at all Spencer's aim was to show that development in structure and function is always accompanied by development of conduct, and, therefore, by a nearer and nearer approach in animal conduct to that which we call moral conduct in man. This parallelism, he claims, is clearly seen to hold for the two lowest kinds of conduct; for animals of more developed structure and function are evidently better able to maintain their own lives and the lives of their race or tribe than other animals are. But now he comes to deal with conduct that is "emphatically moral"—namely, with altruistic conduct—and here he is confronted with a gap in the supposed evolutionary series, which is all the more unfortunate for Spencer that it occurs just at the point which marks the beginning of the only admittedly moral stage. Animals of more highly-developed structures and function do not tend to the more altruistic life—they do not show more regard for the peace and welfare of their own and other tribes than do those of less developed structure and function.

This is the fatal gap in the Evolutionary series, a gap which there is no denying. It is a vital defect, and we are quite unable to see how any defence can be made for it in the Ethics of the Evolutionist. And we would impress on the reader that no matter what else Spencer may now achieve in his work, it would be wrong to forget that he has failed to establish this thesis which he set out to prove—namely, that with the development of structure and function we witness a nearer and nearer approach amongst the animals to that kind of conduct which we call moral in men. To fail in this is to fail in the only vital part of his whole Evolutionary system.

But more remarkable than his failure to establish this parallelism is Spencer's attempt to bolster up the theory by getting moral conduct into line with the evolutionary series through the law of "association"—a point to which we have already called the reader's attention in the present chapter. (1) He tells us that the actual characteristics of the higher animals are not, any more than in the lower, those of regard for life generally, for peace, and for the helping of other tribes to live. From this he infers (2) that "there is room for modifications" which would make for this same desire for peace and for altruistic action. Again, he tells us (3) that since regard for the life of others is *not* the characteristic of the higher animals, we are led "by association" to think of regard for life as their characteristics. From these three statements as premisses he deduces the following conclusion:—"That the highest form of conduct *must* be so distinguished (distinguished, viz., by regard for life) is an inevitable implication." No such extraordinary argument, we believe, is to be found in the history of Ethical Science. His words are—"This imperfectly evolved conduct" (that is, the mutually antagonistic conduct of the higher animals) "introduces us *by association* to conduct that is perfectly evolved. Contemplating these adjustments of acts to ends which miss completeness, because they cannot be made by one creature without other creatures being prevented from making them, *raises the thought of adjustments* such that each creature may make them without preventing them from being made by other creatures. That the highest form of conduct must be so distinguished is an inevitable implication, for while the form" (*i.e.*, the actual form of conduct of the animals referred to) "of conduct is such that adjustment of acts to ends by some necessitates non-adjustment by others, *there remains room for modifications* which bring conduct into a form avoiding this and so making the totality of life greater" ("Data of Ethics," page 18). We must remember that Spencer is here attempting to show that the end of the whole evolu-

tionary process and of moral conduct is "life." To do this he undertakes to show that development of structure and function runs parallel with development in the power of maintaining life. But here we find the higher animals *not* characterised by any particular desire to maintain life in the two ways which, according to Spencer, are most "emphatically moral," and he contends that these two ways of maintaining life *must therefore* be characteristic of the highest animals. Might we not as well argue that because the higher animals *do* evince a greater care in the maintenance of the life of their young, and since greater care suggests *by association* less care, therefore the highest animals neglect their young? Had Spencer already proved that life was the end, we might then take it for granted, without having recourse to this very extraordinary argument, that the highest animals must have a regard for life generally in all its forms. But he has not proved that life is the end. That is the very point which he has here set out to prove; and the argument drawn from association is necessary to the chain of proof. His argument is, therefore, not only illogical and unconvincing, it is contradictory in its very terms.*

Everything, therefore, in Spencer's Ethical system that follows this extraordinary argument (it occurs early in the book, and is, as we said, essential to the chain of reasoning by which he attempts to connect Evolution with Morals) is vitiated by his failure at this point; and without proceeding further with our argument against the theory of Biological Evolution, we might on this account alone regard his Evolutionary system as a failure in its argument and its conclusions. Later we shall examine some of these conclusions in greater detail—namely, those that concern the end of human action and the moral criterion.

* Spencer several times returns to this point, which seems to have troubled him exceedingly. He tells us (page 133) that "there are inferior species displaying considerable degrees of sociality." But this, of course, would not prove that along with development of structure and function there goes increased care for the lives of others. He also maintains that sociality accompanies increased civilisation, a theory which many Evolutionists deny.

Meanwhile, the reader will be interested in one or two expressions of opinion by recent philosophers concerning the general principle and method of the Ethics of Biological Evolution.

(*a*) Some excellent remarks on the relation between evolution of structure and the Moral Instincts are to be found in Martineau's "Types of Ethical Theory." On the time requirements of Evolution he says:—"By spinning out your process indefinitely you gain time enough for anything to take place, but too much for anything to be seen: in the very act of creating the evidence, you hide it all away: and the real result is that you make the story what you please, and no one can put it to the test" (page 365).

Again, on the argument from the development of organism, he writes:—"The evolution theory rests mainly on the evidence from organisms; and when they have been duly disposed in the probable order of their development, their animating instincts and functional activities are obliged, it is supposed, to follow suit; and it is therefore taken for granted rather than shown that, by parallel internal history, the most rudimentary animal tendencies have transmuted themselves into the attributes of a moral and spiritual nature. But the essential difference between the two cases must not be overlooked. The crust of the earth preserves in its strata the memorials of a living structure in an order which cannot be mistaken . . . but . . . the fossil organ is silent about the passion that stirred it, the instinct that directed it, the precise range and kind of consciousness which belonged to its possessor. . . . To a certain extent there is no doubt a definite and known relation between structure and function in animals enabling you from the presence of one to infer the other. . . . The jaw, the teeth, the condyles for the connected muscles disclose his food appetite, and his modes both of pursuit and of self-defence. But long before we reach the problem which engages us we come to an end of this line of inference. There are no bones, or muscles, or feathers appropriated to the exclusive use of self-love; no additional eye or limb set apart for the service of benevolence, &c."

(*b*) It will probably have already suggested itself to the reader that Spencer, like many other evolutionists, mistakingly regards the serial order of the Universe as proof that the higher has been developed from the lower. On this point we have the following interesting criticism from M. Henri Bergson ("L'Evolution Créatrice," page 393):—

"Nous n'avons pas à entrer dans un examen approfondi de

cette philosophie. Disons simplement que l'artifice ordinaire de la méthode de Spencer consiste à reconstituer l'évolution avec des fragments de l'évolué. Si je colle une image sur un carton et que je découpe ensuite le carton en morceaux je pourrai, en groupant comme il faut les petits cartons reproduire l'image. Et l'enfant qui travaille ainsi sur les pièces d'un jeu de patience . . . s'imagine sans doute avoir *produit* du dessin et de la couleur. . . . Telle est pourtant l'illusion de Spencer. Il prend la realité sous sa forme actuelle, il la brise, il l'éparpille en fragments qu'il jette au vent; puis il 'intègre' ces fragments et il en dissipe le mouvement. Ayant imité le Tout par un travail de mosaique, il s'imagine en avoir retracé le dessin et fait la genèse."

(6) *Is life man's ultimate end?*

We shall in this section consider Herbert Spencer's principle that the end of man is the attainment of the *maximum of life*. This principle he attempts to prove from a supposed law of nature—the law, namely, that the higher we mount up in the scale of animal existence the greater the quantity of life attained. "Along," he writes, "with greater elaboration of life produced by pursuit of more numerous ends, there goes that increased duration of life which constitutes the supreme end" (page 14 "Data"). Let us see whether Spencer's principle on this point is true. Can Spencer really maintain that along with the pursuit of more numerous ends (the pursuit of more numerous ends being the mark of the higher animals) there goes always either increased duration or increased quantity of life? As regards length of life, it is certain that no such law obtains. The elephant, for instance, lives longer than the man, though lower in the line of organism. Some insects more highly organised than many of the larger animals live but a moment.

Then, again, as to *quantity* of life, Herbert Spencer maintains that the higher the animal the more the life that is lived each moment—"the sum of vital activities during any given interval is greater in the case of man." This we cannot grant. Man exerts a greater number of *kinds* of activities than the animals, but he does not put

forth *more* vital energy. For instance, the dog or the eagle puts forth more vital activity during one of its ordinary waking hours than do most men. Nor can it be said that the intellectual activity of the man counts for more than the sense activity of the dog or the eagle. Intellectual activity may be qualitatively higher, but it certainly is not quantitatively greater than the activity of any lower faculty. Intellect, therefore, does not contribute *more* to the sum of vital energy expended. But in Spencer's theory quantity is the only characteristic taken account of. "Maximum" means that which is "quantitatively greatest." We claim, therefore, that it is neither evident nor true that the sum of the vital activities is greater in the case of the higher animals.

The distinction, however, which we have just drawn between quality and quantity of vital activity suggests to us the true theory of the end of man and the conclusion to which Spencer's premisses should really lead in so far as they may be supposed to lead anywhere. Development of structure and function is certainly accompanied by advance, not in the amount of vital activity that is put forth, but in the quality of the activity. And because development in structure and function is so accompanied, therefore we maintain that the end of man must be to attain to the highest exercise of his highest faculty—*i.e.*, the faculty of Reason, or to the exercise of Reason in regard to its highest object in the most perfect life. Not quantity of life, therefore, but the qualitatively highest act of life will, if Spencer's premisses are true, be our highest end. And this is the Aristotelian definition of man's last end—the highest act of intelligence in a perfect life. In this sense life may be held to be man's end.* Aquinas is interesting on the point:—"Life," he tells us, "may be understood in a two-fold sense—first, as the living being itself (*ipsum esse viventis*, including, therefore, the principle of life), and in that sense life is not the end, for no man is his own end. . . . Secondly, the vital operation by which the principle of

* That is, our final subjective end.

life is reduced to act, and in that sense life . . . is our end.* He adds on that our highest vital operation is to know God.

Spencer was, therefore, wrong in regarding the maximum of life as our final end. Of course it is possible to understand the "maximum of life" in such a sense as to make it identical with that of the highest act of life. It is possible, for instance, that Spencer would regard the lower operations as of practically no account in comparison with the higher. But we do not think that this is Spencer's meaning, since he is all through insisting on the quantity of life attainable. If, however, "maximum of life" means "highest vital operation," then we can only say that Evolution has led us to no new conclusion. It is only Aristotelianism in a new garb.

(7) *On adjustment to environment as criterion of the good.*

It is not always easy to say from a perusal of Spencer's work what precisely is the part played by "adaptation to environment" in his system. Passages could be produced from his works in which *adaptation* to environment seems to be regarded as the end of all. But in other passages he seems to regard it rather as the essential means to the attainment of the final end. And, indeed, in the "Data of Ethics" so strongly does he insist that the end is Life that we believe that this second is the proper interpretation—that "adaptation to environment" is regarded as the one essential means for the attainment of fulness of life in length and in breadth, and that it is in order to secure better adaptation, and, through this, greater life, that the higher animals are endowed with greater complexity in structure and function. This, also, is the view taken of Spencer's work by Sorley.† In Spencer's system, he tells us, adaptation to environment is connected with the end, which is self-preservation, as "*essential means*." And

* I^{a}., II^{ae}., Q. III., Art. 2.
† "Ethics of Naturalism."

again (speaking of Spencer's system), he describes the end as "self-preservation *as interpreted by adaptation.*"

But in biological Ethics adaptation to environment is not the only criterion of what acts are life-maintaining. "Pleasure" and "health" are also used as criteria, and Leslie Stephen states explicitly that the difference between the Utilitarian and the Evolutionist criterion is that "the one lays down as a criterion the happiness, the other the health, of Society.*

Now, these three factors of the Evolutionary process, though very different in idea, are all closely related in the Evolutionist system—adjustment to environment, health, and life—and, therefore, it is not surprising to find that the precise relation they severally bear to Ethics is not always clearly indicated. But we are safe at all events in declaring that in the Ethics of Biological Evolution "adaptation to environment" is at least *a* prominent criterion of good, since it is at least a necessary means to the final end, and, therefore, we shall in the present section say what is to be thought of adjustment to environment as a criterion of good conduct. In the next we shall say something on "health" as criterion.

(1.) We must, in the first place, admit that adaptation

* "Science of Ethics," page 366. We have some difficulty in reconciling this statement of Leslie Stephen's, that the Evolutionist does not make happiness the criterion of good action, with some expressions of Spencer, who, like Leslie Stephen himself, is certainly to be regarded as an Evolutionist. In his letter to Mill, Spencer speaks of happiness not merely as criterion, but even as the end of all action. In the "Data of Ethics" he represents Life as the end, and pleasure as, at least, a criterion. Leslie Stephen's assertion, therefore, is scarcely true. But it contains some truth. For in the Evolutionary system happiness may be regarded as a remoter criterion, health as a more proximate. In the Utilitarian theory, on the other hand, happiness is the more proximate. But how shall we reconcile those passages in Spencer which represent at one time happiness as the end and at another time as means only to life? One mode of reconciliation would be to say that Life in Spencer's theory is valuable because it is essentially pleasurable. Another (and perhaps better) possible mode of reconciliation may be found in the distinction drawn by Leslie Stephen between the *cause* of morality and its *reason*. The *cause* would correspond to the *natural* end of action, the end which *nature* intends. This is Life. The *reason* of morality would correspond to the constant *individual* motive or end of action, which on both theories (that of Spencer and of Leslie Stephen) is happiness.

to the world around us is in some sense a criterion of good. It is certainly a negative criterion in the sense that conduct that puts the whole world at sixes and sevens can scarcely be good or natural conduct. The natural is always harmonious and in the main happiness-producing, and, therefore, its essential effect is not disturbance, but rather rest, adjustment, and equilibrium. Again, adjustment to our environment is in some sense a positive criterion of good, for man has a duty to strive to accommodate himself to his surroundings, to respect the rights and views of other men and to seek their good. For every man has much to learn and a great deal to gain from his social environment—he owes much to it, and should strive to make it some return. And even if we had nothing to gain from the world it is necessary that we adapt ourselves to the tone, and in a certain sense to the ideals, of the age we live in, and in many cases these ideals may even give rise to important moral laws and duties.

(II.) But when we have said all this, there still remains the important consideration that adaptation to environment is not a man's whole good, nor a criterion of all human good, and that sometimes it is even positively evil. It is not the *universal* criterion of good, for many acts are good and many are bad independently of their relation to environment. Study is a good act, and private immorality is bad, even though these acts may have no relation to social environment. Often, too, it is positively evil to adapt one's self to environment, for though to adapt one's self to a good environment may be good, to adapt one's self to a bad environment is bad. In fact, universal adaptation to environment, whether good or bad, always includes some evil; because our social environment is made up of individuals, and since every individual has in him some downward tendencies it follows that environment (which is simply the sum of a number of co-existent individuals) must also have downward tendencies, and, therefore, unless some refuse to accommodate themselves to environment the whole

environment must gradually become debased in tone. It is obvious, both from experience and from common sense, that *mere* adaptation as a principle of conduct must necessarily mean "drift" and inactivity, and perhaps even all-round degeneracy.

Again, the final standard of morals cannot lie in our environment, since our final end—the perfect good—lies altogether outside of our environment. Were our environment to disappear, our final end would still remain, and the moral standard should consequently still be a reality.

Finally, the theory of adaptation as criterion of good is simply an analogy built upon the biological laws of the relation of cell to tissue, in the living body, and like all other analogies it may easily be, and often is, carried beyond the legitimate limits. A cell must adjust itself to its surroundings because it has no end of its own beyond the good of the whole body. But the individual man is not like a cell in the social organism. He is to a large extent an independent unit, and, as we have said, his final end is not the good of Society. Hence, the analogy of the cell in this connection is misleading and unjustifiable. It may, indeed, be used for purposes of illustration, in which case it should not be forgotten that if a cell must adapt itself to its environment it must do so only when its environment is a good one, adjustment to a decaying environment being rather a cause of degeneration than of good. We should remember, also, that, even in Biology, adaptation is not the sole criterion of well-being. The eye has a certain individuality of its own, and its perfection or imperfection is not determined solely or principally by the degree of adjustment to its environment which it attains, but rather by its own intrinsic structure and health. So, also, adaptation is not the supreme or the sole criterion of the individual good.

(8) *Health as criterion of morality.*

(1.) As we have seen, many Biological Evolutionists regard health as the only sure criterion of moral good.

Now, if health means the health of the body only, it certainly is not the criterion of morality, since so much of our life transcends the body, and common sense would describe the healthy condition of the individual as *mens sana in corpore sano*. But if this be the criterion, we meet at once the difficulty of determining what is meant by mental health. If it means a mind which tends to truthfulness, to justice, and in general to goodness, then the theory that health is a criterion of goodness is little better than a tautology. If, on the other hand, it means a clever mind, sharp, intellectual, resolute, &c., then we can hardly see how one can speak of good conduct as necessarily promoting health, for we are quite sure that individual good conduct does not necessarily tend to make the race more intellectual or sharper, and that evil conduct will not necessarily make it duller or less receptive.

But health of mind may be understood in another sense. A healthy mind may mean a mind that can best fulfil its highest functions, just as a healthy body is that body which can best fulfil its proper functions. If health in this sense be the criterion, then we are back again to Aristotelianism, with just this difference that what is in the Aristotelian philosophy represented as the subjective end of man is here made the criterion of good. But, then, the question arises—How are we to know whether any course of conduct is healthy or unhealthy in the sense explained, and, therefore, good or bad? Aristotle's way is simple enough. He determines empirically what acts are natural, and these he declares *must* lead to the last end, to the highest function. Spencer may adopt the same criterion, and then the criterion of right and wrong is nature not health. Or he may determine what acts are healthy (that is, will lead to proper functioning) by the beneficial or injurious effects of actions on the race, and then his criterion is simply Utilitarian, whereas Spencer's philosophy was meant to supersede Utilitarianism.

However, we will suppose that in some way or other Spencer is able to determine the conditions of the Health

of the Social Organism—that is, that he is able to determine from the laws or the conditions of life what acts are healthy and what are not, and the question then arises, how far are we going to apply this criterion in the determining of moral conduct? Now, an Ethical theory or an Ethical criterion must stand the test of being applied as a universal rule. And when we apply universally the criterion of the Health of Society we arrive at a conclusion that clearly follows from it, but which places our argument in a position which is the negation of all Ethics. For if the health of the Social organism be our *primary* criterion we must apply it in every case, and consequently we must not spare and maintain in life the old and infirm, the stupid and the ill-conditioned, whose only effect upon Society is to weaken its fibre, to destroy, as Leslie Stephen would say, "the social tissue." If health be the criterion, then the proper directing of the struggle for existence would involve the weeding out of all that takes the place of good, healthy growth; and as, in a limited world, the old and weak and the stupid are often in the way of healthy growth or of progress, their only fate must be extermination. However, we believe that the common sense of the world would revolt against the evident injustice of such procedure, and it would revolt also if logical against the Ethical system which authorises such procedure. Hence Huxley's remark—"Since law and morals are restrainers upon the struggle for existence between man and Society, the Ethical process is in opposition to the principle of the Cosmic process" (that is, the evolutionary process, based on the law of the "Survival of the Fittest" *). And again—

* We should, in fairness to Spencer, remark that he has expressly repudiated the interpretation which some Ethicians have put upon the expression "survival of the fittest"—namely, that it means "survival of the strongest." By "fittest," he explains ("Collected Essays," Vol. I., page 379), is meant "those who are constitutionally fittest to thrive under the conditions in which they are placed, and very often that which, humanly speaking, is inferiority, causes the survival." We need not say, however, that the criticism given in the text still holds in spite of this explanation. If the health of the Social organism is the criterion, why should dangerous individuals survive?

"It (Ethics) repudiates the gladiatorial theory of existence." We repeat—if the health of Society be the only end, then the gladiatorial theory of existence—that is, the theory of the struggle for existence—becomes a necessity, and since the struggle for existence is mainly a struggle in which the weak are worsted, then it becomes our duty forcibly and unhesitatingly to send "life's disinherited and condemned ones" (as Nietzche * terms them) to destruction, seeing that they only stand in the way of healthy progress. We may, then, consider the application of such a test as the Health of the Social organism to morality as a *reductio ad absurdum* of the Ethics of Biological Evolution.

NOTE.—"It may be well at this point to consider what is the best answer which, in our view, might be made to the above line of reasoning consistently with the Spencerian doctrine of Ethics. Our argument is that if the Health of the Social Organism is either the fundamental criterion or the end of good human action, then it would be impossible to defend our maintaining or allowing to be maintained in life those individuals whose physical condition is necessarily a cause of danger and even of actual evil to the Social Organism.

To this we can conceive a philosopher of the Spencerian school replying in either of the three following ways:--He might say with Spencer that "the character of the aggregate is determined by the characters of the units" ("Studies in Sociology"); and from this he might draw the conclusion that in order to secure the welfare of the social organism it is necessary to secure the welfare of the units that make it up, and that consequently it would not be lawful to kill off units simply for the sake of the organism. Now, this reply, we maintain, at once gets rid of the difficulty and the system of which it is a difficulty; for we suppose a case in which the Social Welfare is *actually and certainly* impaired by the maintaining in life of a particular individual, and if the welfare of such an individual is to be considered before the welfare of the Social organism, then the health of the Social Organism is not the end of good conduct, nor the criterion of good.

* Huxley's view of the opposition of the Ethical process and the Cosmic process is also set out by Nietzche. "Sympathy," he writes, "thwarts on the whole, in general, the law of development, which is the law of selection. It preserves what is ripe for extinction; it resists in favour of life's disinherited and condemned ones. It gives to life a gloomy and questionable aspect by the abundance of the ill-conditioned whom it maintains in life."

Secondly, we may be told that though the health of the Social Organism is the criterion of good, still there are certain laws and beliefs which are ultimate, and a priori "having (their) origin in the experiences of the race," that these a priori laws simply must be accepted as a starting point in all Ethical reasoning, that Justice (as Spencer insists) is one of these a priori laws and that the law of Justice is the law of the "equal freedom of all men" (see Spencer's "Justice," page 61). Now, this reply we should have no difficulty in accepting, provided it be also admitted that between this Spencerian theory of the ground of Justice and the theory that the health of the Social organism is the primary Ethical criterion there is an irreconcilable antagonism, which like the first reply is tantamount to a denial of the Evolutionary system altogether.

We are, as we said, quite willing to accept Spencer's a priori view of Justice and his theory of the rights of individuals for the sake of argument, but our question is—how is this view to be reconciled with the theory that the health of the Social Organism is the criterion of "good"?*

A third possible reply is that unless in general there was an understanding that men when they become old and infirm will be protected, the Social Organism could not develop, since a feeling of security is a necessary condition of all true systematic progress. To this argument our reply is as follows:—We quite admit that the welfare of society could not be maintained unless there was a general understanding that the units would be secure against aggression when infirmity had come upon them. But in Ethics we have to do with individual actions, and our present question is—granted the general understanding of security, still if in an individual case the Ethician were asked in the seclusion of his study whether it was not his duty, let us say as a legislator, to obviate danger by removing a certain individual he would not be bound to answer in the affirmative, and remove the individual. It will be said that the proper answer in this case would be that a man should stick to his public assurances and save the life of him to whom protection was guaranteed: and with that con-

* A follower of Spencer might answer the above, saying that, though at present justice to the individual is not always best for the Social Organism, in the state of "absolute good" it shall be best—"The requirements of Absolute Ethics," says Sp., "can be wholly conformed to only in a state of permanent peace." But really it is absurd to expect us to content ourselves every time that we point out a weakness in this and the other Evolutionary systems by considering that the criterion in question does not work well at the present moment but that some day it will be found to work. After all Ethics is of very little value as a science if it cannot deal satisfactorily with present conditions.

tention we fully sympathise. Still this view of the case is not without its strange and awkward possibilities. For it is possible that by keeping a certain diseased individual in life the whole community should catch the contagion and disappear, and our point is—should we still protect the unit and let the rest of the community go, remembering all the time that the good of the community is the criterion of right conduct and the end and purpose of the individual life? If we answer in the affirmative, then the present criterion is to our mind utterly and hopelessly negatived by our answer. If in the negative, what about the individual right? We have of course selected an extreme case. But a fundamental moral theory should apply to every case.

This third answer introduces us to the last of our arguments against this theory of Biological Evolutionist Ethics.*

(II.) Concerning the criterion afforded by the health of Society just one point remains—the eternal difficulty of the individual act. If health be the criterion of morality and the promotion of life the end, then the act that makes now for the life of the social organism is good and that which impairs the vitality of the social organism is bad. Now, some acts must always have the same effect on the health of society no matter what be the circumstances under which they are performed, like the murder of people who are innocent. Such an act must impair the health of the body politic and lower its vitality. But of other acts the effects are very variable, and these acts must present a great difficulty to the Evolutionist Ethician. For instance, lies and injustice often do more good than harm, if good and harm are to be judged by effects only, and still we speak of lies and injustice as always bad. This difficulty is, indeed, so obvious that no theory can afford to overlook it or to treat it lightly, and the reader may be interested in the following solution of it—a solution which is given by Herbert Spencer, and which is regarded by some as one of the most important points of his Ethical theory. He maintains that in a perfect state, and under the rule of an "absolute Ethics," Truth and Justice would bring as effects pleasure and health only;

* On this question of the relation of the individual to Society in Spencer's theory we would recommend the reading of Cairnes' articles in the *Fortnightly Review* (1875)—"Mr. Spencer on Social Evolution."

but that in our present state these normal and natural effects are prevented by circumstances from realising themselves, and that so we often find bad actions leading to pleasure and good acts to pain. He tells us, however, that though in our present life it is not easy to know whether the *particular* act impairs health or promotes it, we ought at the same time to be guided by what follows *normally* from these acts, and that in following these rules we shall be following "courses which tend most in the direction of the normal" ("Data," page 277).

But is not all this very unsatisfactory? Nobody could rationally expect that a fundamental moral criterion should be easy of application in every case. But it is not too much to ask that a moral criterion, and in particular the fundamental moral criterion, should be capable of affording plain and certain information on most individual acts. Yet, according to Spencer, the best information which this criterion is capable of affording is that in our present state certain acts will *probably* injure or further life, and that under other conditions—in the ideal state—they would *certainly* injure or further it. Now, in reference to this last statement of Spencer's, we have no hesitation in saying, first, that a criterion that can in most individual cases afford no more than a high degree of probability is not and cannot be the fundamental criterion. And secondly, though it may be that in the ideal state bad acts will injure, still as a rational being with present responsibilities I am interested not in an ideal future state but in the present actual state, and it is no use telling me what the moral quality of an act would be in such a future state * when an action is to be done here and now.

* We know of no Evolutionist who has approached this question of individual action with more candour than Leslie Stephen. He insists, as we do, that it is idle for the Utilitarian or the Evolutionist to ignore the accidental and concrete circumstances and effects. If any act is good by its promoting the general vitality then, even though as a rule a certain act impairs vitality, yet let it only in this case promote the general vitality, and he "cannot see in what sense it is morally blameworthy. To adhere to the (general) rule when the rule clearly does not apply is not to be moral but a moral pendant" (page 392). He admits that this is an awkward consequence for the Evolutionary Ethician, and that it

Hence, we must regard this theory as useless and impracticable, since it affords us no hope of certainty about that which most interests us—namely, the good or evil of our present individual acts.

To sum up our criticism of this theory—Biological Evolution is untenable because, first, morals objectively regarded do not evolve, they are as constant as human nature itself; second, it is based on the false assumption that everything in the Universe evolves, and on a supposed but unreal parallelism between structure and function on the one hand, and fulness of life on the other; thirdly, because it falsely represents life as the end of human action, and health and adjustment to environment as the criterion of good.

ETHICS OF PSYCHOLOGICAL EVOLUTION

(*a*) STATEMENT OF THE THEORY

The theory of Psychological evolution has been put forward in a variety of ways, only two of which can be noticed here—that, viz., connected with the names of Mill,* on the one hand, and that, on the other hand, connected with the names of Spencer and M. Levy Bruhl.

As we have already remarked in our chapter on "Duty," these two theories of morality are markedly

looks like expediency. But he claims that the Ethician will simply have to be satisfied with the situation. No general laws that we can make will, he admits, cover the morality of particular cases. What, then, are we Ethicians to do in the case of concrete action—we, whose business it is to direct other people's conduct? We must, Leslie Stephen tells us, by means of our general rules, create a "fine moral taste" amongst men, and then, as the soldier on the battlefield will, if he have genius enough, know when to disobey with profit to his country, so will the man of "fine moral taste" know when to deviate from the general law. But surely this is a very unsatisfactory conclusion to a supposed practical "Theory of Ethics."

* We do not know whether we are justified in calling John Stuart Mill's theory (which is generally spoken of as "Associationist") an evolutionary theory. If it is evolutionary at all, it is evolutionary without the element of heredity. This the reader can bear in mind in the pages that follow. But we have called it evolutionary because the theory represents our moral ideas as a growth or a development (brought to completion within the lifetime of an individual) out of non-moral elements.

distinct. For, first, the Evolutionary process, according to Mill, is completed during the life of each individual, whereas according to Spencer and Levy Bruhl it will end only with the complete evolution of the race. Secondly, according to Mill, the process of psychological development begins in childhood, with the child's first ideas of pleasure, pain, or fear. On Spencer's theory, on the other hand, our moral beliefs have their beginnings in far-off ages long ago, when as yet there were no ideas, but only life in its lower and cruder forms. Nay, they had begun to form, according to Spencer, even before life had appeared, when as yet there existed only dead matter and its movements. Thus did the physical fissure of rocks image forth the future law of self-sacrifice and sympathy, the dividing up of one's self and one's interests through self-abnegation. Our present beliefs are, according to Spencer, the result of the accumulated experiences of all the ages—experiences that have solidified with time and become organised into moral consciousness, which moral consciousness is easily awakened into action, as Mr. Royce (another upholder of the theory) says, by the renewed presence of any one of the activities or experiences that went to form it in bygone ages.*

The general principle of Psychological Evolution has many bearings in Ethics. It is supposed to account not only for our ideas of good and evil, but for our ideas of obligation, sanction, merit, and responsibility. At present we are concerned only with ideas of moral good and evil, with our beliefs that certain actions are good and certain others evil, and in the present chapter we shall consider Psychological Evolution in its relation to these ideas and beliefs exclusively.

Three preliminary remarks must be made. First, to some the present enquiry might seem somewhat out of

* Some French Evolutionists—*e.g.*, M. Fouillée—consider that besides the factor of Evolution, we must also introduce into our explanation of the origin of Moral ideas another factor—that, namely, of the *idée-force*, a term which we have already explained in our chapter on Duty, page 237.

place, concerning as it does the origin of moral ideas, whereas in these chapters we are dealing exclusively with theories of the reality, the nature, and criterion of good. But we believe the enquiry is quite relevant to our present purpose; for, if the theory of Psychological Evolution be true, then, we maintain, there could be no such thing as natural law or morals. This we shall show later in the present chapter.

Our second remark (we are sure it will be readily admitted) is that if we can succeed in disposing of the theory of psychological evolution as advocated by Spencer, then Mill's theory also will be disproved thereby, since, if our moral ideas cannot result from the accumulated pleasure and pain of all the ages, including our own experience, they certainly could not originate in the experience of the individual alone. We shall, therefore, treat only of the larger theory adopted by Spencer—that, namely, of the racial evolution of moral ideas.

Thirdly, the reader must carefully distinguish between the theory of Psychological Evolution and the Aristotelian and Scholastic doctrine on "the effects of action—a criterion of morality." It will be remembered that the very first of our secondary criteria concerned the effects of actions. That act, we said, is unnatural, and therefore bad, which, when raised to a general line of conduct, necessarily injures the race—its opposite is good. Now, every Scholastic will admit that it was largely by using the criterion of the "effects of action" that our remote ancestors would, revelation apart, have judged of the morality of action. But between the growth of moral ideas due to the use of this criterion and the growth which is described by the Psychological Evolutionist there are very large differences. In the first place, our ancestors, according to the Scholastic conception, performed an act of *reasoning* in judging of the general effect and determining by means of it the morality of actions; and, in the second place, the act was a conscious process, not subconscious or unconscious. This conscious act of reasoning may have been formal and explicit, or it may have

been informal and implicit, but its logical character as a reasoning process may be shown by casting it into the form of a syllogism thus:—such and such acts work out harmfully for the race; acts that work out harmfully cannot be good; therefore such and such acts cannot be morally good. This reasoning, it will be observed, presupposes the idea of moral good and evil already possessed. On the other hand, the Psychological Evolutionists represent our moral beliefs as resulting, not from reasoning, but from mere inherited associations of certain feelings with the conception of certain acts. And, secondly, this process of association is represented as for the most part a sub-conscious process.

In justice, however, to the Psychological Evolutionists we should add that they do not claim that mere experiences of pleasure and pain could, unaided, form into Ethical beliefs. These experiences, they contend, must be driven into the brain of the race by means of sanctions, public and private, and by parental instruction—forces which have the power of creating many associations of pleasure and pain for the acts of men, and of transmitting such associations of feeling to posterity.

(*b*) CRITICISM OF THE THEORY OF PSYCHOLOGICAL EVOLUTION

We shall now attempt to prove that this theory of Psychological Evolution is untrue—the theory, namely, that moral beliefs are derived from associations of feeling, and that these same associations are created partly by our own experience and partly by the experience of our ancestors.

And in order to establish the falsity of this theory we shall show, first, that our moral beliefs are, some of them, self-evident truths of intellect; others, felt to be equally necessary with the first, are derived from reasoning, that therefore our present moral beliefs could not have been derived by association. Secondly, we shall show that they could not be derived from feelings of pleasure and pain.

(1) *Our moral beliefs are derived from reasoning.*

In proof of this proposition we appeal (I.) to our consciousness, (II.) to History, (III.) to the Science of Ethics itself.

(I.) Our consciousness tells us that at present we accept moral propositions because our intellect understands the reasons for accepting them—reasons which the intellect (at least in the case of an educated man) is capable of explaining. These reasons are either that the proposition is self-evident and can be shown to be so, or because the proposition is provable intellectually, on grounds that are perfectly definite and intelligible. And the individual man knows that this knowledge and the reasons for accepting it are not peculiar to himself, for he knows that many other persons accept such beliefs for reasons similar to his. For instance, we know why we believe murder to be bad, or lying, or disobedience, or stealing, and we know that many other men believe these things to be bad also, and that if sufficiently educated they would be able to state the intellectual grounds for their belief. We admit, indeed, that many men receive their moral code merely on the authority of others. But the belief of the disciple in his master and the consequent acceptance by the disciple of the Master's teaching are sometimes found even in the pursuit of the other sciences, and are no proof that the science in question is not ultimately grounded on reasoning; for this assent in Moral or other Science is given on the understanding that somebody has been able by valid reasoning to establish the truths so believed. Could a child suspect that nobody had ever proved the truths of Mathematics he would not accept them. And in the same way did he suspect that nobody had ever proved the truths of morals he would not accept them. The existence, then, of Authority in the teaching of Morals is no proof that our moral beliefs are not grounded on reasoning.

The argument from consciousness becomes stronger when we consider that a man is able to reflect upon his own moral beliefs—beliefs that he has accepted from

childhood, and that he can and often does subject these beliefs to examination, and sometimes questions their validity, and sometimes even rejects them as invalid because the grounds which once he believed to exist in support of them he now finds not to exist. Now, the fact that we are able to examine and criticise our own beliefs, and that when we realise that they are not capable of being supported by logical reasons we reject them, is strong evidence that moral beliefs generally do not arise by association but on the grounds of reason, which we either apprehend ourselves, or believe to be apprehended by others.

Sometimes, perhaps, we do not question these moral beliefs of our youth; but the reason why we do not question them is that our intellect is satisfied with them and with the evidence for them. Our unquestioning acquiescence in them is not due to heredity, as the Psychological Evolutionist would have us believe. The Psychological Evolutionist says that the man who inherits beliefs sees no reason for questioning their validity, because inherited beliefs seem always, and must seem always, to be intuitive or self-evident truths. To this we reply that no truth could seem self-evident to the human intellect simply because it is inherited. Even if we could inherit beliefs still there is no proposition which we are not able to examine later and put to the test and reject if its credentials cannot be shown. The human intellect regards no proposition as self-evident unless it sees that the predicate of the proposition is contained in the subject. If the predicate is not seen to be contained in the subject then the intellect has power to reject the proposition until such time as it is *proved* by reasoning. It is not true, therefore, that the intellect is forced to regard any proposition as self-evident merely because that proposition is inherited.*

(II.) We appeal, secondly, to History, which supports our theory that moral beliefs are derived by reasoning. We can infer from history that men have always formed

* A fuller proof of this proposition will be given in the next section.

their moral judgments, or at least adhered to their judgments in their maturer years, on the basis of intrinsic reasons. Any records of the past that have a bearing on these subjects show that men do reason and accept their beliefs on Reason. And even with regard to prehistoric man we have no reason to think that man ever acted otherwise. At no age in the history of the human race was the spirit of inquiry wholly absent, and at no age consequently were moral beliefs accepted by a kind of blind instinct. There certainly is no evidence of such beliefs. We must suppose that in all ages man must have engaged sometimes in active thought, and that he must have tried seriously to interpret the common facts of human nature and to deduce from them the laws that obviously befitted human conduct.

(III.) Thirdly, we appeal to the Science of Ethics itself, in which are given the *fundamental scientific reasons* for our moral beliefs. Some of these reasons we have stated in the earlier chapters of this work, and some will be given later, when we come to treat of special Ethics. And our argument is that if the trained scientist is able to give the reasons of his beliefs we should assume in Ethics, as in every other science, that the world at large also accepts these beliefs for assignable reasons, and not blindly or as a result of heredity only.

We now go on to our second proposition :—

(2) *Our present moral beliefs could not have been derived by inherited associations from feelings of pleasure and pain.*

(I.) Our first argument is that no mere association of feelings, whether of pleasure or pain or of any other thing, could ever develop into a belief. I may, for instance, on seeing a certain house, perceive at the same time a certain perfume, and this combination may be repeated so often that the very thought of the house awakens in me the feeling or thought of the perfume. Yet we are not aware that this association will ever of itself and without further reasoning develop into the belief that the house is either the perfume itself or is

the cause of the perfume. Mere associations may, indeed, make the thinking of a certain object necessary, and the fact that two things occur together may make us suspect they are causally connected. But mere association cannot *of itself* become a belief that one thing is another or is its cause. For the intellect in forming a judgment follows a natural law just as the eye follows a natural law in seeing. And the law of intellect is that it assents only to self-evident propositions in the sense given above, or to propositions that are proved by premisses which the intellect sees to be true. *Mere* Association, then, could never be the ground of an intellectual assent.

(II.) Secondly, beliefs cannot be transmitted. A child never seems to be possessed of ready-made moral beliefs, No doubt, even without instruction, people must at some time come to a knowledge of certain self-evident principles. But of these principles there is at first no trace in the child's thought or expression. And even later, when these self-evident principles come to be understood, there still appears no trace of other beliefs (beliefs as necessary as the former, but conclusions of Reason), which yet our ancestors have understood from the most distant ages. The appearance of these beliefs in the mind either of child or man is undoubtedly due either to the exercise of the reasoning power or to instruction. On the theory of Psychological Evolution these beliefs should be all inherited, and children, instead of being without beliefs of any kind, should all be born with a consciousness not only of the principles of morals but of many of the universally admitted conclusions.

(III.) Again, is it possible that the present moral beliefs of the fully-developed consciousness of the adult are only the accumulated and consolidated feelings of past pleasures and pains? Could the influence and the sanctions of parents and of Society cause the accumulation of remembered pleasure and pain to develop into a consciousness of our present

moral code? These questions must be answered in the negative. Such vices as sexual immorality have not in past ages gathered around them a surplusage of pain so great as to cause a hereditary belief that they are intrinsically bad. In fact, it is doubtful whether such acts would not have created an associated feeling of pleasure. Again, truthfulness is the virtue of a courageous man, because it needs a courageous man to be always truthful. From this it is evident that the consequences of truthfulness are not exclusively pleasurable consequences. How, then, could mere associations of feeling, however they may accumulate, and however much they may have been enforced by the sanctions of Society and of parents, develop into a moral belief that truthfulness is morally good and not morally bad? If our moral beliefs be derived from associations of pleasure and pain, then, since the effects of actions like sexual immorality and truthfulness are mixed, our convictions should be that such acts are morally good in part and morally bad in part. It is possible, indeed, that society early in the history of the race may have condemned or approved of these acts for purposes of the general good, and thus by its sanctions given to sexual immorality and truthfulness the associations of pain and pleasure which have caused men to regard one as a vice and the other as a virtue. But to suppose such positive legislation takes us quite outside the theory that our moral beliefs are due to inherited feelings. Such primitive legislation would need, and would be prompted by an *intellectual appreciation* of the consequences of those acts, and any such intellectual appreciation is incompatible with the Psychological Evolutionist theory of feelings and associations as the essential element in the building up of moral beliefs. It would also need an intellectual appreciation of the *moral* character of those acts based on the consideration of consequences. If, then, past legislators forbade certain acts they must have done so because they perceived that these acts were bad. And whatever may have been their grounds for condemning these acts the

same grounds exist to-day, and are, partly at all events, the ground of our intellectual moral judgments.

Again, even though legislators and parents forbade such acts as stealing and immorality, they could not wholly blot out the associations of pleasure attaching to those acts.

It is important that we should emphasise this difficulty which, as we have seen, confronts the Psychological Evolutionist, whatever be the particular form of his theory—the difficulty, namely, of the mixed character of the associations which attend upon the acts of men. Each act has many and varied associations, some agreeable, some painful; whilst, on the other hand, the theory that our moral beliefs arose solely from these associations requires that the associations of what we now recognise as a good act should be altogether on the side of pleasure, and the associations of what we now recognise as a bad act should be altogether on the side of pain, or at least that the former should be so much on the side of pleasure and the latter so much on the side of pain that the opposite feelings in each case may be regarded as of no account. This latter, we should say, is the more usual contention of the Psychological evolutionists—namely, that in the case of what we now recognise as bad acts the associations of pain have become enormously developed, and have excluded the agreeable associations from the consciousness of men, and that in the case of good acts the opposite has taken place.

But our reply is that in stealing and lying the pleasure-giving element (the element of profit) is quite as persistent as the evil-bringing element, which latter the Psychological Evolutionists suppose to have evolved into man's concept of dishonesty. Nay, more, in stealing and lying the pleasure or profit element is intrinsic—that is, it is a natural effect, whereas the pain and the loss are extrinsic to the act—that is, the pain is that of social punishment only. It is the pleasure element, therefore, and not the pain element that should the more easily have become associated in consciousness with the idea

of these actions. The difficulty remains, therefore, of explaining as the resultant of these two opposing forces—namely, those of pleasure and of pain—such a definite and universal belief amongst men as the idea that we are bound not to steal and lie. We cannot, in the light of our daily experience, suppose that resultant to be on the side of painful associations with such a huge preponderance as to cause men in their moral ideas to disregard completely the associations of an opposite kind.

(3) *Theory of natural selection as applied to the psychological question of the origin of moral beliefs.*

The theory which we have just criticised supposes that association is the principal factor in the evolution of moral ideas. We now pass to another theory of Psychological Evolution, having as motive force the law of "natural selection" and of "survival." The origin of our moral beliefs is explained by some as a special case of the law of "natural selection" and the "survival of the fittest." Certain moral beliefs, it is explained, tend to survive more than others because they are more suitable to their human environment, and those beliefs that survive we naturally regard as certain, and as the only true beliefs, since none others are left in human consciousness to compete with them.

Now, before going on to estimate the truth or falsity of this particular form of the theory of Psychological Evolution, we may be allowed to remark that in one very modified sense it is possible to explain our moral beliefs as a result of this law of survival in the struggle for existence; for, as we have already pointed out, it is quite possible for men to ground their moral judgments on experience—that is, upon the pleasurable or painful consequence of actions in a sense already explained. Pleasure and pain are, as we formerly showed, a criterion, though they are not the primary criterion, of good conduct. It is quite possible, therefore, that our present moral judgments may be to a large extent the result of such experiences, that, many courses of con-

duct having been tried, it was found that some could not be made to work on account of the consequences that they necessarily entailed, that these courses were then regarded as bad, and that thus our present moral beliefs are to be explained as a survival—a survival, namely, from many rival theories, some of which have been discarded as unpracticable and untrue, and others retained as workable, and, therefore, as natural and true.*

But this is not the view defended by the psychological evolutionists now under consideration. For in the theory just explained, and which we do not altogether oppose, our moral views are regarded as rational deductions from "experience," and as replacing one another, not in the sense contemplated by the Darwinian Ethicians, whose claim is that ideas may crush one another out of existence, just as plants or animals crush one another out of life, some of them being stronger in their fibre and more suited to their environment, others weaker and less suited, but in the sense that in the sphere of morals a ripened and well-founded view may replace a crude and hasty one, or a true view may replace a false one, just as they replace one another in Physiology or Botany or any other science. The following, which we take from Professor Sorley's "Ethics of Naturalism," will, we believe, be found to represent the survival theory of Psychological Evolution in its most recent form and in a way that cannot be misunderstood :—†

Having explained that Natural Selection may have reference to three things—competition between individuals, between groups of individuals, *and between ideas*—he then goes on to say—"Now, when the phrase 'natural selection of Morals' is used, the reference is commonly to a conflict of this last kind. The supposition

* This is to be understood in the sense already given. Conduct that leads to evil consequences necessarily and in all sets of circumstances is unnatural, and the belief that such a course of conduct is the good or the right course is an untrue belief.

† This theory is merely explained by, it is not defended by, Sorley.

is that different ideas and also different standards of action are manifested at the same time in the same community, that they compete with one another for existence, and that those which are better adapted to the life of the community survive while the others grow weaker and in the end disappear. In this way the law of natural selection is supposed to apply to moral ideas and moral standards." In this theory, therefore, certain *ideas* and beliefs are regarded as surviving in the same way as plants or animals survive—namely, as a result of a certain struggle for existence, a struggle in which some principles and beliefs are gradually discarded by the human mind, whilst others that are more suitable to their environment gain prominence and live.

Now, though this explanation seems simple enough, we think that, as stated by Professor Sorley, the theory is somewhat ambiguous because it does not explain whether particular ideas survive or disappear because the *individual* or the race who maintains them survives or disappears; or whether the battle is a purely psychological one, a struggle between *the ideas themselves*, a struggle which would take place even if the mind that harboured these ideas were one and permanent, and even though individual persons remained always in life. These two possible forms of the present theory are really distinct in principle, and we think that they should be kept separate in our minds, even though the results to which they lead be the same in each. We repeat, therefore, this distinction as follows:—In the first theory beliefs are represented as surviving and disappearing because some beliefs and principles are so adapted to their environment as to aid the individuals who maintain them to live and be strong, whilst others tend to the extermination of the individuals who maintain them. Thus, races that believe in the rights of parents to rule and direct their children have a better chance of survival than those who maintain the opposite view, and, therefore, the views of the former have naturally a better chance of surviving than those of the latter. In other

words, the content of men's minds will naturally survive or disappear according as the mind or the person that contains or maintains that content survives or disappears. In the second form of the theory ideas are represented as contending with one another, as crushing *one another* out of existence in the psychological sphere, in the same way that plants and animals contend with and kill one another in the physical universe. In both forms of the theory, we admit, it is the idea or the belief that is to be regarded as the principal factor, as the instigator in the struggle, and as the cause of survival or of decay, since, even in the first form, it is the idea or the belief that determines the staying-power of the individual in the struggle, and therefore it is they that decide on what side the victory shall be. Still, as we have said, for clearness' sake it will be well to keep the systems apart, and also to criticise them separately.

Now, it will have already suggested itself to the reader that in the first form of the theory—the form, namely, which represents moral ideas and beliefs as surviving or vanishing according as the individuals who possess them survive or vanish—there is involved an assumption that has already been examined and rejected by us in various parts of the present work—the assumption, namely, that moral ideas and beliefs are transmitted by inheritance, that the beliefs of a father are, even apart from instruction, a determining factor in the beliefs of his children, if they are not the whole determining cause of their beliefs. This assumption we have denied outright, and it will not be necessary now to repeat our arguments against it.

Another point on which we would insist in connection with the first form of the theory—a point which has already been explained and established in our present chapter—is the following:—Our moral beliefs, even if they have been transmitted to us by inheritance, are always revisable by our intellects—that is, it is always possible to reconsider them and to retain or reject them according as they admit or do not admit of rational

explanation or proof. Hence, it is absurd to contend that our sole reason for retaining our present moral beliefs is that they have come down to us, the rest having been lost with their owners in their struggle for existence. Is it not evident from experience, and especially from introspection, that it is in our power at any moment to question our present moral beliefs, to conceive their opposites, and to reject or to accept either of these according as the proofs available for one side or the other are stronger or weaker? If moral beliefs could appear and disappear with their possessors as languages and racial features disappear with certain peoples, then it would be impossible for us to revise our present beliefs in this way, to ask whether they are more true than their opposites, and more especially to alter a moral belief on revision, a thing which often happens in matter of fact.

And this same argument may, we believe, be reasonably urged against the second form of the theory as against the first. If moral beliefs could struggle with and destroy one another in the psychological arena, say, if possible, in the racial or tribal mind, as trees destroy one another in the forest, then it would not be in man's power to question or to revise, to seek proofs for or to alter his moral beliefs at any moment. And the fact that we are possessed of such a power is proof unquestionable that the full and final explanation of the presence in man of moral ideas is not to be found in the theory of struggle and survival, nor, indeed, in any other theory of Psychological Evolution.

Beliefs, then, we repeat, are not formed and discarded mechanically—that is, as a result of mechanical or quasi-mechanical laws of reaction between mind and environment, as plants and animals crush one another out of life in the struggle for existence. Our moral beliefs are built up by a slow process of reasoning, helped on by instruction and tradition. But, let it at any moment be understood that a particular belief has not been proved, that it is merely a tradition, or that it rests on premisses

which there is good reason for regarding as untrue, then, no matter how long the tradition and how suitable the judgment for success and survival in the given environment, such a judgment or belief will be discarded with the same ease, and perhaps also with the same necessity, as any other judgment which our Reason shows us to be false and unfounded.

We would also, before taking leave of our present subject, point out that both of these forms of the theory rest on the impossible assumption that in the beginning there were no definite moral beliefs, that at some period of our History, while some men believed that wholesale murder and lying and cruelty and the neglect of children were bad, others regarded them as good, others, again, as at least as good as their opposites—that is, as indifferent—and that, finally, one set of ideas crushed the others out of existence. Now, to entertain such beliefs as these is opposed to all that we know of human nature. We cannot believe that any rational being ever believed that lying, and pitilessness, and wholesale murder were either good or indifferent. They are too evidently opposed to human life and progress to be considered anything but bad.

Lastly, we might be allowed to point out that in both forms of the theory it is supposed that the true conception of morals is always the *surviving* conception, a supposition which we cannot grant, since, as Professor Sorley points out, it happens that "in the majority of instances the holding of false or inadequate conceptions does not tend to weaken vitality." Hence, a belief need not be regarded as true simply because it makes for survival, for there are a great many false ideas which if accepted would not tend in the least to weaken vitality, and consequently they might survive for generations. Vitality and survival, therefore, are not the sole determinants of our moral beliefs.

For these reasons we reject the theory of Natural Selection and of Survival as an explanation of the origin of our present moral ideas.

QUESTION OF ORIGIN IN ITS RELATION TO QUESTION OF VALIDITY

In concluding this treatment of Psychological Evolution we must consider Professor Sidgwick's view that the question of the validity of our moral beliefs is quite independent of the question of their origin. According to Sidgwick, questions concerning the origin of our idea of space cannot possibly affect the question of the validity of our mathematical beliefs. *A pari,* he contends, there is no reason why the origin of our moral beliefs should determine the validity of these moral beliefs.

Now, if Professor Sidgwick were right in making this inference he would show that the theory of Psychological Evolution is irrelevant to the Science of Ethics, and it would be unnecessary to discuss it in this book. But we differ from Professor Sidgwick on this point. We do not deny the importance of investigating origins for the purpose of understanding validity. We contend that if the moral beliefs of *men in general* be the result of association only, if it be understood that no man can prove the truth of these beliefs, then we have no guarantee that there is anything in the objective world that corresponds to these beliefs—that is, we have no guarantee of their validity—they may be purely subjective. In Ethics, therefore, as in other Sciences, we regard our beliefs as valid, either because we ourselves or somebody else has proved them true. Else we should not accept them.

Professor Sidgwick's argument from our beliefs in Geometry we regard as fallacious. Questions in regard to the origin of our *idea of space* may not, indeed, affect our beliefs in Geometrical propositions, but questions as regards the origin of our *belief in the principles of Geometry* may and do affect the question of validity. If, as Mill asserted, our belief in the axioms of Euclid is merely due to association of ideas, if these axioms are not self-evident in the sense of the predicate being contained in the subject, then we have no guarantee that

these axioms are true, or that the propositions that depend on these axioms are true. Again, if our beliefs in the Propositions of Euclid be due to association merely, if it be understood that no man had established their truth by reasoning, then, again, our beliefs in these propositions might not be valid—they might be purely subjective. In the same way, if our moral beliefs be due to association merely, if we cannot prove them to be true or show them to be self-evident, then their validity at once becomes doubtful—they may be purely subjective. Hence, the question of the validity of our moral beliefs is not independent of the question of their origin.

CHAPTER XIII

ETHICS OF TRANSCENDENTAL EVOLUTION

(*a*) Statement of Theory

To describe the various forms of the theories known as theories of Transcendental Evolution would be out of the question in a work like the present. On the other hand, to give a combined account of them, an account that would embrace the features common to them all, would be a very difficult, if not an impossible, task. Still we feel that it would be a great help to the student if, before attempting the study of these theories, he had some general conception of their character and purpose, even though this general conception were inadequate and required to be modified afterwards in order to fit in with any one particular theory. It is with this end in view that we offer the reader the following brief account of the Ethics of Transcendental Evolution, an account, we confess, which is meant to correspond more with the Hegelian than with any other system, since it is in this system that all transcendental theories are supposed to culminate.

A definition will be more easily framed when we have compared the theory of Transcendental Evolution with the theory of Biological Evolution. The theory of Biological Evolution is an Empirical or *a posteriori* theory. It is built upon a supposed phenomenon of the world of sense, a phenomenon which is discovered by sense—namely, that of the Physical Universe, as evolving, as

passing from a less perfect to a more perfect state. The whole orderly system of the firmament is, we are told, an evolution. The stars and planets, the sun and the earth are all evolutions from the one original primal substance. On earth higher species evolve from lower. Conduct also evolves according to certain laws, as is evident from comparing the structure and habits of one animal species with another, and also the habits of one grade of human civilisation with another. And the laws which we thus find to govern the evolution of conduct can, according to Spencer, be made to serve as a ground of morals, since morally perfect conduct is nothing more than highly evolved conduct. The method, therefore, of the Ethics of Biological Evolution is in the main empirical and inductive or *a posteriori*—it is founded on sense.

The theory of Transcendental Evolution is the very reverse of all this. In the working out of this theory Reason may be guided to some extent by analogies from the senses; it may even depend to a very large extent on history and on the use of the historical method; but the method of the theory of Transcendental Evolution is primarily *a priori*. It is based not on an examination of particular objects, but on the highest and most Universal of Conceptions—that, namely, of the Absolute.* The Absolute (whether regarded as subjective or objective or the ground of both) is that ultimate Being, from which all things are derived, in which all things subsist, and of which they are merely parts or phases—it is the ground reality of the whole Universe, and comprises the whole Universe.

This Absolute is described as first unfolding itself, differentiating itself (according to laws which our Reason discovers *a priori* in the very conception of the Abso-

* Philosophers vary in the account they give of this ground-Being of the Universe. With Fichte it is purely subjective. It is the Ego. With Schelling it is absolute indifference of subjective and objective. With Hegel it is more fundamental than either subjective or objective, and the ground of both. The method of Hegel's system is usually known as "dialectic," but as dialectic this method is *a priori* or deductive, not *a posteriori*.

lute) into the various particular objects of the Universe, both mental and physical, and then, secondly, moving on towards its own fuller and fuller realisation through the re-identification of these same particulars with itself, until in the end they become absolutely one with it. This whole process may be described, following some defenders of this theory, as first a movement from negative (or abstract) to positive infinity—that is, from undifferentiated or potential infinity to differentiated or actual infinity, and then a movement back into the *real* infinity which embraces the undifferentiated and differentiated Absolute in one complete reality.

Now, morals, we are told, form one portion of this process—one phase in the development of the Absolute—and under "morals" we are to understand not merely the laws of conduct but our views of those laws, also the moral customs and institutions in which those views are enshrined, and which are themselves the objective expression of the moral law. The Ethics, therefore, of Transcendental Evolution we may define as the theory that moral laws and moral opinions and customs are a gradual development out of the Absolute, that the good is any act (or rather any state) which realises or reproduces the Absolute in things—which fits in with the process whereby the Absolute principle of the Universe brings into closer and closer identity with itself the particular objects and ends of the Universe, into which it has differentiated itself.

But, besides the theories of pure transcendentalism, theories which deduce the moral law *a priori* from the mere conception of the Absolute (for instance, the theory of Hegel and Bradley), there are other modified theories, which, though based on metaphysical conceptions similar to those of Hegel's, still make positive and express use of experience in the formulation of the laws of morals, and even follow the historical method not as a secondary method, as is the case with Hegel and Bradley, but as the primary and essential method of Ethics. Such a modified form of Transcendentalism is

that of Green.* Like Hegel, Green regards the Absolute as slowly unfolding or differentiating itself into the manifold of particular objects, and through this process of differentiation approaching gradually the final end, which is Complete Self-Realisation or the state of Complete positive unity of the Absolute consciousness with finite things. What that self-realisation consists in, or how we may directly promote it in ourselves, Green does not claim to know. But he believes that we can know the direction in which this supreme end lies by examining the line along which humanity has been developing up to the present moment, since, according to Green, in continuing to follow that line of development which has brought man to his present elevated condition we must necessarily approach to the true and final ideal of human conduct, and thus we shall indirectly, if not directly and consciously, be promoting our final end. Green's theory, therefore, is in great measure, if not principally, an empirical theory.

NOTE.†—This brief description of the Transcendental theories we must now fill in by describing in some detail one or two of the best known of these theories. We select for special mention the theories of Hegel and Green, of whose systems we shall give a very brief account.

HEGEL'S ETHICAL SYSTEM.

Like most Ethical systems Hegel's begins with an analysis of will. Will is the faculty in which morality resides. It is not a distinct faculty from thought. Will and thought are but two functions, the one conative, the other cognitive, of mind. Will is "thought translating itself into reality" (that is, tending to an end outside thought). Now, Ethics is the

* Prologomena to Ethics. In his admirable little work on "The Philosophy of Green," Professor Fairbrother expresses the same view of the method of Green which we give in the text above—namely, that it is essentially a historical method. From Self-Reflection we get the idea of the good—we fill in the content of this idea by an examination of History.

† Since the text-note above is not necessary for the understanding of the argument that is to follow, and since the matter of the note is from the nature of the theories described in it obscure and difficult, we should advise the reader who has not previously gained some knowledge of the Transcendentalist Systems from works on the History of Philosophy to pass over the note and proceed to the argument page 428.

science of the freedom of the will, for goodness is freedom,* and therefore the "account" of moral goodness is the "account" of freedom. What, therefore, is freedom? Freedom means self-determination. "It is will which through thinking gives itself direction and end, whose object is itself, which therefore is independent of everything and every person outside itself. Will is free intelligence." † But the self is, in Hegel's philosophy, not what Kant represented it to be—mere Reason or pure will—the self is made up of Reason and sense, will and desire. And since pure Will is the universal will, and desire (*i.e.*, the wish for pleasure or for sense-objects) the particular will, or the will of the individual, so self-determination means the identification through conduct of the individual desire and the Universal Will. The individual can realise his full self, Hegel maintains, and thereby fulfil his duty by furthering this identification, by realising the Universal in his own particular will. Not indeed that nature is waiting on individual caprice for its realisation of particular and Universal. For already particular and universal are identified in Society or the State, and all that the individual does in fulfilling the moral law in his own case is to participate in this process of identification of particular and universal, the identification of particular and Universal being not only the end of all but the underlying principle and the very Being of all reality. In the moral sphere the State is itself this process of identification—not the result of the process but the process itself—for in the State is realised the identification of the many and the one, and the form of their Unity is Universal Law. The State is the realisation of the whole self of man, particular and Universal Will (that is, pure or Universal Will) and Desire,‡ Reason and Sense. "The State," writes Hegel,§ "which is the realised substantive will having its reality in the particular self-consciousness raised to the plane of the Universal, is absolutely rational. This substantive unity is its own motive and absolute end. . . . This end has the highest right over the individual whose highest duty in turn is to be a member of the State."

* This doctrine, it will be remembered, Hegel borrowed from Kant. See chapter on Freedom, page 201.

† Jodl, "Geschichte der Ethik," II., page 108. This unification of Reason and will which is so opposed to the philosophy of Schopenhauer is also to be found in other philosophers—for instance, in Herbart. According to this latter philosopher, the law of the will—the moral law—is grounded not in will itself, but in the judgment.

‡ The particular will with Hegel means "particular wish for particular object," and as object and subject are one in his system, it also means particular subject.

§ "Philosophy of Right" (translated by Dyde), page 240.

Following then these three headings of the Universal Will or Universal self, the particular Will or particular Self, and the Absolute Self* or the State, Hegel, in the "Philosophy of Right," divides his Ethical system into three parts. In the first he treats of Universal Will or abstract Will, "Will without individual interests or responsibilities." This is the sphere of abstract right, for 'theory of right' or 'justice' is that domain of Ethics in which no account is taken of individual conscience or individual responsibility. The man who discharges his debt, discharges it whether he intended to discharge it or did not; and he who has not paid what he owes is still a debtor even though he may not be blamed for not discharging his debt. In the second part Hegel treats of Responsibility, Sin, Conscience, moral good and evil, and everything in the sphere of Ethics that characterises the individual will as opposed to mere abstract Right. *The Good Hegel here defines as the "idea of the unity of the conception of the Will* (*i.e.*, *the universal will*) *with the particular will.*" It is therefore the realisation in man of the Absolute Self. In the third part he treats of "Absolute Will," of that, namely, in which the identification of particular wills with the Universal Will, of nature with freedom is actualised. This Absolute will he calls "Ethical system," "Ethical observance," Ethical Custom—*i.e.*, that outer system observance or custom which at once enshrines the moral beliefs and principles of the human race, and has actually become a law to the world. In the common system of law and custom, particular and universal are made one. This Ethical system is the Absolute. Ethical observance or system has three forms into which it develops in order—viz., the family, the civic community, and the State. The perfect form is the State; it is the end of all and the beginning and ground of all. The State is even the underlying principle of matter and movement, for it includes all things; but as underlying principle of the evolutionary process of all things, including matter and movement, the State does not manifest itself to us as a State. As the underlying principle of all we should call it not "State" but the "Absolute" simply. As "conscious of itself" as "will which thinks and knows itself, and carries out what it knows in so far as it knows," it is called State. Yet these two—the State and the Absolute—are one. The State is Absolute Spirit. "The State," writes Hegel, "is the spirit which abides in the world, and there realises itself consciously; while in nature it is realised only

* Hegel calls the State the Ethical Idea. "Idea" with Hegel signifies the concept made real, or the universal made real by its identification with particulars.

as the other self or the sleeping spirit. Only when it is present in consciousness knowing itself as an existing object, is it State." The rule of conduct, therefore, is to obey the State, not this or that particular State, but State in the abstract, or that which Hegel calls the essential moments of the State.

GREEN'S THEORY

Of Green's theory we can only give the barest outline : — Nature, according to Green, is unity in plurality. It is primarily and essentially plurality, because its elements are distinct. It is secondarily Unity, because Nature implies Unity. All plurality implies relation of some sort, and all relation implies Unity of related elements. Nature itself being primarily plurality, and there being nothing in plurality itself to make it one, so the principle of unity cannot lie in nature. That which unites two things in one must be distinct from the two. It must, therefore, lie in Mind. Now, feeling cannot be the unifying principle, for feelings are many, and they exist themselves in relation to one another, and therefore they themselves require to be unified by something higher. Neither can states of consciousness be the unifying principle, for they too stand in relation to feeling being distinguished from it, and besides they are changeable and are many themselves. Consciousness itself, therefore, is the principle of unity, not the passing consciousness that exists and thinks in time, but the Eternal Unchanging Consciousness, the timeless Self, which is one and whole in all things. States of consciousness may change, but consciousness itself does not. Pure consciousness then is the only unconditioned thing in nature. It exists before all things else, and constitutes them all. It is the root principle of the world, and, being the only thing *unconditioned by anything extrinsic to itself,* is the only *originally* free thing and the principle of all derived freedom. Just so far then as the Eternal Consciousness exists in any object, so far is that thing free and good.* As phenomenon man can never be free, because as phenomenon he is merely part of the world, and is therefore conditioned. But he is free in so far as this Eternal principle is in him working throughout his empirically conditioned knowledge, and yet itself not empirical but intelligible. Such realisation of the Eternal Consciousness is plainly possible in thinking subjects ; but in bodies it is realisable only in so far as they approach the state of thinking subject—*i.e.*, in so far as they are organised. Man, is so far as he is thinking subject, can participate internally

* Again, the Kantian principle that freedom is goodness.

in the Eternal Consciousness, but as phenomenon he exists, like everything else, only *as object of self-consciousness.* As phenomenon he is not one with absolute self-consciousness, yet exists by it. Man, therefore, can be free in so far as he is one with the Eternal Consciousness—as noumenon and subject. But how, it may be asked, can man be free even as subject or noumenon? Does not the will determine itself by objects outside, and is not determination from without the very opposite of self-determination or freedom? Green answers this question in the negative. The will, no doubt, must in every act present to itself an object outside itself to be desired. But the will is nevertheless not determined or moved by such object but by the *idea* of the object within the mind and will. Even then, in his desires for outward things, the free being is self-determined.

Now, in this Eternal Consciousness and its extension to man, there are three grades or stages—viz., knowledge, will, and desire. Knowledge requires no explanation. "Desire" is mere solicitation to an object known as distinct from the "ego." "Will" is the actual choice of such object. The "good" in general is that which satisfies desire; the moral "good" in particular is that which satisfies the moral agent as such, and the moral needs are satisfied and the good realised so far as the agent approaches the state of the thinking subject—that is, so far as he participates in the Eternal Self-consciousness. And as this Eternal Self-consciousness is the constitutive principle of all things, Moral good is the same thing as self-realisation, the self-unfolding of the Eternal consciousness in our empirical finite consciousness, and the consequent identification of our own personal consciousness with the Absolute.

From "the good" Green passes to the idea of duty. The reflecting subject is conscious of wants, and from this it easily proceeds to the consciousness of its intended objects. Traversing therefore the series of wants which the self distinguishes from itself, "there arises the idea of satisfaction on the whole," an idea never realisable, but ever striving to realise itself in the attainment of a greater command over means to the final end, or to the full satisfaction of particular wants. This idea of satisfaction is equivalent to "our good on the whole," and as it represents nothing real but only an ever unrealisable ideal, it presents us with the idea of what "should be" as distinguished from "what is." This idea of "should be" is "obligation." The moral good then being that which will satisfy the *whole* of desire, and not any mere particular desire, is that which will satisfy the Eternal principle of Consciousness within us, that principle through which all finite things

are parts of the one timeless unity ; and as this Eternal principle of Consciousness is alone capable of representing to itself the totality of all desire, the good must finally consist in our identifying ourselves with the Eternal Consciousness, and the consequent promotion of its final end. What the final good is we can never know in itself ; yet we know that it is the end of all motion, all desire, and all *progress*. We can therefore come to know it *practically*, if not theoretically—that is, we can know the direction in which it lies and the means by which it is to be attained by discovering the direction in which the Eternal consciousness has already been progressing, just as we should discover the whole structure of a thing by examining a cross-section of it. Following out the line of progress that has brought mankind to his present elevated position in the finite world we are sure to be travelling towards the final end of all, and of promoting that end, even though we do not ourselves personally reach it.

The final end is the Unconditioned Good. What the Unconditioned Good is Green cannot say. If you ask me, says Green, what this unconditioned good is, I can only tell you it is what the goodwill seeks, and if you ask me what the goodwill seeks, I can only tell you it is the Unconditioned good. This argument is a vicious circle, as Green admits, but it is one that arises necessarily out of the case. It is a fallacy, he maintains, but a justifiable fallacy, since in the system which he inculcates, the same thing is both means and end —and we can only define the end in terms of its imperfect realisation in the means.

The end, therefore, though unknown, may still be furthered by the adoption of the means that lead to it. These means are our existing laws and institutions and the line of development that has led to them. Following this line of development we shall keep ever approaching to the end more and more nearly—but we can never reach it.

(*b*) CRITICISM OF THE ETHICS OF TRANSCENDENTAL EVOLUTION

(1) Our first point of criticism will concern the general theory of Transcendental Evolution that all things are an evolution from a single Unity, named by the Transcendentalists the Absolute. (2) Our second point concerns the theory that morality is only a phase in this supposed universal process of Evolution. (3) Thirdly, we shall briefly refer to some of the main points in the two systems described in our text note.

(1) Evolution, if it exists, and so far as it exists, is a fact of nature, a movement of things from a lower condition to a higher, and, like any other movement, it, and the laws which direct it, if such laws exist, should be capable of being seen or discovered by our ordinary faculties of apprehension and of Reason. We have no more right to postulate the existence of an evolutionary law in nature which we have not seen or proved than we have to postulate the existence of fruit or leaves in the trunks of trees, or a faculty of thought in stones, or any other such unexperienced phenomenon. Also the extent of Evolution, if a law of Evolution should be shown to exist, is to be determined not by *a priori* reasoning nor by arbitrary imagination, but by actual empirical investigation and reasoning upon observed phenomena. We must not extend the law of Evolution to stones since we do not see them evolving, nor assume that a dead plant still grows and evolves when it is too plain that it cannot now do so. Evolution, if it be true, is a fact, and facts must be either seen or proved before we can assume their existence or build our reasonings upon them or explain anything by means of them. These are only the plain requirements of Reason and Common Sense, and they are necessary presuppositions of any Science, whether Physical or Moral.

Now, these presuppositions are flatly contradicted by the system of Philosophy which we are at present considering. For, in the first place, the Absolute itself, which is supposed to be the ground Unity of all existence, in which all things subsist as parts or moments or phases—whatever be the name we give to the individual things within it—is a gratuitous hypothesis. It is neither seen, nor felt, nor proved by reasoning upon observed phenomena. It is not necessary as an explanation of any admitted facts. It is itself not only a contradiction, but a sum of contradictions. For instance, it issues particular judgments and the opposite of these judgments at one and the same moment in different people. It not merely *exists* in one man and *in* another,

but it *is* one and the other.* It is also the unity of both and at the same time their diversity, for unless it is everything *that is*, it is not the Absolute. It is one and simple, for through it all things are reduced to Unity, and yet all things are parts of it and subsist through it—subsist through it and compose it even in their diversity. It is, therefore, One and Many *secundum idem*. On this impossible conception is grounded the theory of Transcendental Evolution.

Again, if the Absolute itself is something merely imagined, the Evolutionary process by which it develops into the manifold objects of the Universe is also merely imagined. But imagination is not the proper instrument of Empirical Science, nor, indeed, of any science, and we have no right to postulate the existence of an Evolutionary process in the world unless we can see it definitely at work or can prove its presence by our Reason. Everything in this world is either a development from some perfectly definable thing *not the Absolute*, or it has not developed at all. The plant grows from the seed, the seed is shed by the living plant. There the process of evolution is complete and circumscribed. There is no doubt about where it begins and ends. The plant can only develop out of the seed, the seed is a development of the plant alone. Neither develops out of any other thing. If the process of development began at all it began with the making of one of these two things, not with something which is neither plant nor seed. Nature presents many such circumscribed evolutionary processes in living things. We may even, for the sake of argument, allow that one species develops out of another. But every such evolved thing develops out of some definable thing upon this earth, and not out of any other thing, it develops from something which we can see or know, and to suppose anything else would be to contradict all that we know of Science and of Nature. But thousands of

* "A separation between the Absolute and finite Beings is meaningless" (Bradley, "Appearance and Reality," page 418).

things never develop, and could not have developed out of any other thing. There is nothing in the Universe, then, that offers the slightest ground for believing either that all things evolve or that all things have come from one thing, particularly from one absolute thing which we do not know, and which is full of contradictions, a thing which still maintains its Unity whilst it is the ground and inner Being of the manifold things into which it has evolved.

We should remark, however, that the Transcendental Evolutionists not only suppose the existence of such a Universal process of Evolution as is here described, but actually describe the laws according to which it takes place, which laws they deduce not from observation, but from the conception of the unknown and unintelligible Absolute itself, such as the law formulated by Hegel that each thing passes into its opposite, only to return upon itself again, in its higher form of the Unity of its former self and the opposite of its former self. These laws do not require further discussion. An imagined Absolute evolving according to imagined laws cannot, we venture to suggest, be accepted as the ground and principle of any Science, much less the natural Science of Ethics.

(2) This brings us to our second point. Morality, we claim, is not a phase in the supposed evolutionary process of the Absolute unfolding itself into the manifold objects of the Universe. This proposition we might establish according to a variety of considerations. The following two will suffice:—(I.) Morality is an attribute of *the individual Person*. It is the individual Person that is under obligation to do certain things. The acts of the *Individual* are good or bad. The Individual alone is morally responsible for his acts. There is no common receptacle for the moral responsibilities of the acts of different men. Our responsibilities are not interchangeable nor continuous with one another. My responsibilities are my own, as my wishes and actions are my own. Now, if the ground reality of all men be one, and

if the "good" means identification with this ground reality, then my responsibilities are not my own, for, a common substance can originate only common responsibilities. (II.) Again, a moral being *directs* and controls his individual acts. But if all men and all actions are but necessarily evolved phases of one original object or condition, then I no more control my individual actions than I control my own existence or my entry into this world, and hence I am not more moral than animal or tree or stone.

Morality, then, is not a phase in the Evolution of the Absolute into the manifold objects of the Universe.

(3) We shall now briefly criticise the chief point of the two Transcendental systems given above, as to the nature of the good—namely, Hegel's view that the good is the identification of the particular with the Universal will or the State; and Green's view that the good means the reproduction of the Eternal Self-Consciousness in us through approach to the final end of the Eternal Self-Consciousness, or to that end which will supply the totality of wants. Our criticism of Green will also include other references to his theory of man's final end.

Hegel's View—(I.) We have already clearly shown that the good is not and cannot be identity of or relation of any kind between the particular and the Universal will or the State.* The good individual will is the will that tends to the final natural end *of the individual*, not the will that identifies itself with any other will, even though that other includes the individual will. Even then, if it were certain that what is called the Universal will was good in itself, an individual will would still be good only in so far as it sought the natural ends of its own individual natural capacities. Hence, goodness cannot consist in fulfilment of the end of the Universal will.

(II.) The good will of an individual man must always remain particular. For it is the same will which is responsible for evil and which merits by the doing of

* See previous chapter, page 308.

the good. But the evil will is, on the theory of the Transcendentalists, essentially particular, essentially unidentified with the Universal (the State cannot be evil), therefore, the good will is particular also, and is not identified with the Universal will.

(III.) There is no such thing as a Universal will. There is no abstract State comprising in itself all individual States and the ground of all. All existing States and all existing wills are particular. This we have had occasion to remark more than once before in this work. To prove this proposition would, of course, be quite oustide the scope of a work like the present. But the reader will, we think, not need proof to understand this at least, that the existence of a Universal will such as is supposed by Hegel is a pure hypothesis, that it could not be established by reasoning, and that consequently an Ethics built upon such a theory can never have more than a suppositional value.

(IV.) But whether a Universal will exists or not, an identification of particular and Universal wills, of my own with the Eternal will by individual effort, is a sheer impossibility. Identity of *end* might, indeed, be theoretically possible—that is, their ends might be made conformable to one another, but identity of *being* would not be possible even theoretically. For the Absolute Will and the Will of the Individual are not only different entities, they are the very contrary of each other. One particular will could not become identical with another particular will, *a fortiori* it could not become identical with the Universal will. There is a sense, indeed, in which a universal is recognised in the singular even according to the teaching of Aristotle—namely, *by participation*. In this sense a Universal is realised in all the singulars that participate in it, as whiteness is realised to some extent in each white object. But it never does and never could become *identical* with the particular. Nothing can be identical with its contrary. This latter principle, that "nothing can be its contrary," Hegel would, of course, deny; but we think we are safe

in assuming it, and if we are not allowed to do so then argument becomes impossible, since otherwise no term, and no proposition, could have any meaning.

Hegel's theory, then, of *identification* of Universal and particular is quite different from Aristotle's theory of *participation,* and whereas the latter represents a truth of common sense, the former is a contradiction and impossible. There is no conceivable sense, then, in which Hegel's theory of the individual effort to make the individual will identical with the Universal could represent anything even theoretically possible. Much less could it be made a practical rule of Morals.

Green's View.—Green's theory contains the following assumptions:—(I.) That the "good" consists in the reproduction of the Absolute or Divine Consciousness in ourselves, (II.) that we can reproduce this consciousness, and therefore be morally good, by the realisation, so far as lies in us, of the end of the Absolute, (III.) that the final good is not actually attainable, that we may always continue to move towards it, but never reach it, (IV.) that the final end is not itself knowable, but (V.) that it is possible to move towards this end by continuing to follow the same line of development which human law and human institutions have followed until now, those laws and institutions which have brought man and Society to their present perfection.

(I.) To the first of these assumptions we reply—If the Absolute or timeless Self * is the principle of all that *is,* if everything is but a phase of the Absolute, then the Absolute is present in or is reproduced in every desire and in every object; and since, according to Green, the

* The metaphysical question of the existence of an Eternal Self immanent in the world cannot be fully discussed here. Some salient remarks concerning it are given in Prof. Taylor's "Problems of Conduct," page 70. "What evidence then," he writes, "does Green supply which leads us to affirm the underived character, not merely of consciousness, but of the 'self'? As far as I comprehend his reasonings all the evidence for this important transition is afforded by the consideration that a series of related events cannot possibly become aware of itself as a related series." Taylor's criticism of this argument is, taking Green's premisses, that the series could not know itself as a related series, for granted, the following:—"All that has really been proved about the re-

"good" is the reproduction of the Absolute it follows that every object is a good object and the desire of every object is a good desire. On Green's theory, therefore, a distinction between good and evil acts is quite impossible.

On this point—that is, on the relation of the Absolute to evil (the evil under consideration being certain selfish tendencies in man)—Sorley writes* :—"Green does not even ask the question whether these" (tendencies to exalt selfish interest over common welfare, tendencies which, as we say, Sorley considers evil) "are not to be considered manifestations or reproductions of the Eternal Self-Consciousness. But his metaphysical view does not exclude them, and, if they are included, morality disappears for lack of a criterion between good and evil. If good is to be discriminated from evil it must be by some other means than by describing the whole conscious activity of man as a reproduction of the divine."

Professor Sorley points out also that Bradley is more consistent on this point than Green, since Bradley, who, like Green, regards the good as in a certain sense the realisation of the absolute, "brings out the consequences which in Green is more or less concealed that the evil equally with the good in man and the world are appearances of the absolute." †

Evil, therefore, is, if Green's theory be consistent, quite as much a part or as much a development of the Absolute as the "good" is, and hence the good as opposed to evil cannot consist in the reproduction of the Absolute. We can also urge, in opposition to Green's theory of the good, the same arguments by which we

lation of the knowing self to the time series is that it is not one of the presentations which succeed one another in the course of our experience—in fact, that the centre of our personal identity is relatively to the changing presentations which make up the series of our perceptions and thoughts permanent in time, not that it is eternal or independent of duration." As it stands no argument could more faithfully reproduce the Scholastic view of the soul or knowing subject than Prof. Taylor's argument.

* "Recent Tendencies in Ethics," page 99.

† *Ibid.*, page 101.

have already disproved Hegel's theory that the good consists in the identification of the Individual and Universal or Absolute Will.

(II.) To Green's second assumption we reply.—A man's good must consist in the attainment of *his own* end, not in the end of something other than himself—that is, we determine the good of the individual by a consideration of his own individual capacities. Now, whether or not the capacities of the individual man would enable him to promote the Divine end, Green does not determine, and consequently it is not lawful for him to assume that the good of the individual consists in the promotion of the End of the Universal consciousness, even though the individual be included in that consciousness.

(III.) To the third we reply.—The good or the end is the fulfilment of a natural capacity—and since nature * does not give a capacity for an object that cannot be attained, it follows that the end of man is attainable.

Again, the ends of all inferior beings—for instance, of trees and animals—are attainable. But if the end of a tree or animal is attainable can we hold that the end of man is unattainable—that the highest thing in nature is the only unfinished thing? If, therefore, on Green's theory, man's good is unattainable, then the "good," as Green conceives it, cannot be man's good.

(IV.) The final end of anything is the final end of its highest capacity. Thus the final end of a tree is not growth but flowering and seeding. So also the highest end of an animal is the end of its sensitive powers, since sense is the highest capacity of an animal. In the same way the final end of man must be the end of his rational will, since will is our highest appetite. But the end of the rational will must be something which the intellect is capable of conceiving, for the will can desire and tend to that only which the intellect can conceive. Hence, the final end of man is conceivable by man.

(V.) We move, according to Green, towards our final

* For explanation of this principle see page 72.

end (even though we can never reach it) when in our conduct we follow the line of development which marks the history of conduct in the past.

Now, the difficulties here are many—(*a*) Has there been development? We claim that it is impossible, so far as the primary * laws of nature are concerned, to find any line of development in the history of past human conduct or human laws. Even M. Levy Bruhl (an ardent evolutionist) admits that the essential laws were the same in the days of Egyptian greatness that they are to-day. We have, however, already said that the secondary precepts of the moral law may change. We know, for instance, that monogamy is more universally practised now than it was in the days of Aristotle. But are changes in the secondary laws of morals due to evolution? We believe not. It seems evident from history that these changes have been effected in the main not by evolution but from the two following principal causes:—First, because with time and experience we have learnt to think more truly about human needs, and how they are to be satisfied, than we formerly did; and, secondly, because of Christ's positive teaching. Of these two reasons the latter is perhaps the principal. But Christ's teaching was not a result of evolution. There was nothing in previous history that could logically be said to have led up to it; nothing, for instance, that led up to Christ's Sermon on the Mount, or to His teaching on marriage.

Whatever advancement, therefore, has taken place in morals and moral ideas as regards the secondary laws or the laws of greater human perfection is not to be explained by evolution. The change that has taken place in our moral ideals is, in the first place, a change from false to true thinking on good and evil, and second, a change consequent on the introduction of Christ's positive teaching.

* Primary precepts, as we have already explained, are those which are absolutely necessary for man and society. Secondary precepts are those that are necessary for our *better* existence.

(*b*) The necessity for a moral criterion is not a necessity of to-day only. It was a necessity for Aristotle and for Ethicians and legislators before Aristotle. Yet Aristotle did not follow Green's criterion. He determines what is good for man, as we do, by an analysis of human nature and its needs, not by an appeal to previous history. Nor does he refer to anyone before him who appealed to history for the determination of the moral law. Rules of conduct, therefore, have been determined not from previous conduct, but from Reason. In other words, in the formulation of the moral law, Reason does not follow history, but makes it.

(*c*) All that has been said in proof of our view already given, that in framing the moral law we must follow certain rational criteria, is itself proof that the method of Ethics is primarily a method of rational deduction, and not the historical method—that is, that the moral law cannot be determined by any reference to past human conduct as such or to past development. But Green's theory is essentially grounded upon the historical method.

These are only a few of our reasons for rejecting Green's evolutionary theory.*

NOTE ON THE TRANSCENDENTAL-EVOLUTIONIST VIEW OF SELF-REALISATION

"Self-Realisation," in the works of transcendental Evolutionists, is used to signify the realisation or development of the "Total Self" of the individual—that is, the attainment of the ends of the "Total Self," and (in this theory) the Total Self includes, besides the individual selves, the "Universal Self," which, we are told, is the true Being of the individual.

Our view of this theory, as we have already said, is

* At the conclusion of this long argument on Evolutionary Ethics we may be permitted to point out that it was impossible for us to notice every argument for and against the Evolutionary theory, but we have tried to bring out the main points on each side, and we hope that our argument will be suggestive to students in their further readings on this subject.

that common sense refuses to recognise the individual man as being one with the "Universal Consciousness" or "Universal Humanity." The Universal Consciousness is not the man's "self." The self is simply the rational individual. Destroy the rational individual—a thing which is neither inconceivable nor metaphysically impossible—and you destroy a complete Self. The Self is the principle of thought and action. It is that which thinks and acts. But only the individual can think and act. It is not tree-in-general but this tree that grows and decays. It is not Self-in-general or a universal Self but this particular Self that thinks, desires, and moves. The Self, then, and the individual man are one; and self-realisation, if such a thing be possible, will be the realisation, in some way, of the individual rational man.*

If by self-realisation is meant the attainment of a natural end *outside of ourselves,* then self-realisation is not only a possible end to man but is also his bounden duty. But to transcendentalists self-realisation seems to mean something more. It seems to include the realisation of our *constitutive substance*. But this is evidently not our end, as we saw in our second chapter. Our bodies may, indeed, grow in substance, but the body is not our highest end. Our soul does not grow in substance. Its only realisation is the fulfilment of its

* Other Ethicians also besides the Transcendentalists insist that the individual as such is never a self, that the only self is the Person. They draw two distinctions between individual and Person. First, that the individual is as such purely Egoistic, whereas the Person or rational being is altruistic also. Secondly, that the individual is, as such, simply a number of unrelated impulses, whereas the Person is in himself an organised body of impulses, and, in relation to others, is a part of the larger organisation of Society. With these writers self-realisation means realisation of the person, and, therefore, of the person as altruistic. (Prof. Seth is one of this school. See his "Ethical Principles," page 205.) These writers also claim that, as individual, man wishes for pleasure only, but that as person or rational he is determined by the conception of duty.

Now we have no hesitation in saying that the contrast here drawn between the individual and the person is wholly groundless. The person is simply a rational individual; but Reason is an individual faculty in each man, and every act of reason is individual. The rational self, then, is essentially individual.

natural capacities, and the end of our highest mental capacities lies, as we saw, beyond the Self. Apart, then, from the realisation of—that is, the attainment of—ends beyond ourselves it is absurd to speak of the realisation of the Self as our final end.

There are senses, then, other than that of the Transcendental Evolutionists in which self-realisation is sometimes possible, and there are senses in which it may be said that self-realisation is a duty. This leads us outside the discussion of Transcendental Evolution, but it will be useful to explain what precisely is implied in "Self-Realisation" in so far as it is really our end.

Self-realisation is our end in so far as it implies the attainment by man of his end as a rational being. Whenever we attain an object or end it may be said that we "realise ourselves," inasmuch as we realise the fulfilment of a capacity of ourselves. Perfect self-realisation means the perfect fulfilment of our natural capacities by the attainment of the ends of those natural capacities. Now, what precisely is implied in the realisation of our natural capacities? It includes two things. (1) The use of our faculties for their natural ends only. (2) The use of them not as separate and unrelated faculties, but as the parts of an organism. In this sense to realise the self means simply to act up to the natural laws of the self. This sense of "self-realisation" has been very well brought out in a note on Aquinas' "Summa Contra Gentiles" by Father Rickaby. Writing of the actuality of the Infinite, he says:—"It does not follow from this" (the actuality of all God's powers) "that *human* perfection is perfect self-realisation in the sense of every power being realised to the utmost. The powers of man are many, not all of equally high quality. The utmost realisation of one might and would interfere with the realisation of another: the baser might be brought out to the loss of a nobler and better; the perfection of man is a harmony of powers, which implies both use and restraint of them severally according to the excellence of their several functions. In man, much must be

left in potentiality if the best actuality that he is capable of is to be realised. In an orchestra, where every instrument is played (or brayed) continuously at its loudest, the result would be din indescribable, a maximum of noise with a minimum of music. Perfection is actuality up to standard. In a finite nature the standard imposes limitations according to the Aristotelian canon of the golden mean, a canon not framed for the infinite." *

As Rickaby says, in realising the capacities of any organism, "much must be left in potentiality." It is plain that in any one man each and all his capacities cannot be exercised in their fulness. A man could not exercise his capacity for knowledge in all departments of knowledge. No man could be physicist, mathematician, metaphysician, historian, &c., though most men have capacities for all or many of these things. But, is a man bound to, at least, a partial exercise of every natural capacity? This question is answered by Aquinas, who distinguishes between capacities that appertain to the good of the individual and those that appertain to the good of the race. Not every individual is bound to the exercise of the latter kind of capacity, except in the case of danger to the race. For instance, ordinarily, no individual man is bound to marry; the good of the race, indeed, requires marriage, but the attainment of this end is imposed as an obligation *on the human race* as a whole, not on each individual. But every individual is bound to make some use of those capacities which appertain to his own good.† The law of self-realisation thus outlined by the Scholastic philosophy is founded not on

* Rickaby—"God and His Creatures," page 22, note.

† Many of our capacities are only a means to other capacities, and provided these latter capacities are duly exercised we cannot see that the capacity which is only means must necessarily be exercised. Hearing is only a means to knowledge, and if a man could exercise his faculty of knowledge without hearing we cannot believe that he is strictly bound to "hear." In one sense all our faculties are only a means to our highest end, and provided that a man can develop personally and can also fulfil his duties to the race without exercising a particular faculty, we do not see how we can constrain a man to exercise it, particularly if by its non-exercise he has a better chance of doing some other greater good and a consequent better chance of attaining his final end.

any mere metaphysical hypothesis like that of the Universal Self in man, but on the organic nature of man as empirically known to us. Also, unlike the theory of the Universal Self, the Scholastic theory affords us a practical criterion of good.

CONCLUSION

We have now passed in review some of the principal Evolutionary theories of Morals. We have examined Spencer's system and shown that moral conduct is not highly evolved animal conduct, that the final end is not increase of life, and that the "good" is not the same as "adaptation to environment." In our examination of Psychological Evolution we showed that our moral opinions are not evolved from associated feelings of pleasure and pain, and that whatever change may have taken place in our moral opinions that change is not to be regarded as an Evolutionary change from mere sensible association between feelings to intellectual appreciation of principles, but simply as a change from false to true thinking. In our account of Transcendental Evolution we showed that moral goodness is something that belongs to man as individual, and not to man as a mere phase of a consciousness underlying the whole world. We showed also that self-realisation in the Transcendentalist sense is not the end of man.

One remark we may make in addition. All Evolutionists suppose that we are gradually approaching the final end of man, an end to be realised (in so far as it ever will be realised) on this earth, and that when we shall have reached it, evil shall be no more. That any such end shall ever be attained in this world, or that it shall be attained here or elsewhere by any system of natural Evolutionary forces, is, we claim, neither proved nor probable. Our final end lies in another world, as was proved in the second chapter of this work, and it can only be attained by individual moral effort.

Man is, indeed, a Being of development and of progress, but his progress is not to be secured by blind and

irresistible laws of Evolution pressing him on whether he wishes it or not to some unknown end. Man is a self-directed Being, and development consists in our freely doing the good, or in our freely moving to our final end. Our final natural end is known to us. It is the Infinite Good, and this end can only be obtained by our freely observing the natural law both in the individual and in the public life.

APPENDIX ON THE ETHICS OF SPINOZA AND OF FICHTE.

Though not themselves evolutionary systems, still it may not be out of place at this point to give a brief sketch of two very different yet cognate theories, the Spinozistic Ethics and the Ethics of Fichte, so closely are these theories related to the systems we have just criticised under the name of "Transcendental Evolution." Our account will be merely historical and not accompanied by anything in the nature of philosophical criticism.

APPENDIX A.—SPINOZA'S* SYSTEM.

Spinoza's theory of "geometrical Ethics" is an attempt to deduce the laws of morality from the single conception of "substance" according to the strictest laws of reasoning. It is called "geometrical" because of its analogy with the science of Geometry, which out of the single conception of space derives the whole complexus of Geometrical laws according to the strictest reasoning. What Space is to Geometry, Substance is to Ethics. Substance is the original ground of all existence, that through which all things exist and of which they are the manifestation. Human acts and the human character are but "modes" into which the original substance differentiates itself according to the inner necessary laws of Nature. The Ethical laws therefore—the laws of the perfect human character—are necessary laws, and the human act and character themselves are necessary and not indifferent. What "ought to be" means "what is." The "moral power of right" means "actual physical power." There are no ideals other than the actual facts which make up the actual world.

Passing by his purely metaphysical theory of Substance, Attributes, and Modes, and their relation to one another, also his account of knowledge and its degrees, we come to his

* This account of Spinoza's Ethics is *mainly* taken from Martineau's "Types of Ethical Theory."

first Ethical conception, which is the transition from knowing to doing. "Doing" or action is an effect of that inner law of *conatus* in things whereby every thing tends to persist or maintain itself in being. This *conatus* or tendency to self-maintenance belongs to the inner essence of things. It is the "will" of things, and since will and intellect are not really distinct, so *conatus* is not really distinct from logical affirmation and negation. Will or *conatus* is the dynamic causality of thought. It is no other than the *life* of things, and since it springs from the being itself and presupposes no "otherness"—no causality from without—it is, in so far as it is put forth by our adequate ideas, our freedom—freedom, that is, not in the Aristotelian sense of power to do or not to do, but in the Kantian sense of self-determination. In so far, however, as this *conatus* is put forth by inadequate ideas or imagination it is feeling. "Freedom," "pure understanding or Reason," "self-conservation," these, in Spinoza's system, are all one thing.

"Pleasure is the feeling in which the mind passes to greater perfection, pain that in which it passes to less." "Pleasure heightens while pain lowers the self-conserving *conatus*." "Good" and "bad" mean respectively helps and hindrances to self-conservation, and their marks or tests are respectively pleasure and pain. In feeling that a thing is pleasurable, we know it is good. Pleasure is the satisfaction of desire, and desire is the "*conatus* of our essence to assert" and maintain itself. And since the central element of our essence is "understanding" the perfect life will consist in bringing "all the proper functions of our nature, as active, to one—viz., to understand or know." Love of knowledge is the "sole autonomous affection and the sole virtue." And, therefore, the special virtues which this includes may all be reduced to one—namely, to "act from the inward essence of mind alone" or "to stand free from the sway of the passive affections," which is the same thing as "firmness and steadfastness of character" or *fortitude*. But the highest grade of perfection is gained when the understanding removes itself completely from outer things, and thus having rid itself of the element of "inadequacy" in idea which comes of this outerness, it contemplates itself as inner essence, and also that which is its inner cause, the underlying basis of all differentiation—that is, God. In this exercise of discovery the mind is aware of its own intelligent power, and feels glad in the successful action of its nature. And this gladness is referred to its cause—viz., to the reality or truth which is discovered—*i.e.*, God, who is all reality and truth. Now, pleasure referred to its cause is love. Therefore, this self-knowledge is the love of God. Intellectual

love of God is, in Spinoza's view, the culminating point of human excellence, into which Fortitude "becomes sublimed, and where it reaches its repose."* But, for this "love of God," which is our highest activity, we are not to expect any return, since God, having no affections, neither loves nor hates.

APPENDIX B.—FICHTE'S SYSTEM.†

Fichte's system is not Evolutionary. But since in the science of Ethics he attempts to deduce the whole moral law, without the mediation of any presuppositions whatever, from the mere conception of an "Ego" or self-consciousness, it will be convenient to give some account of his system here, since there is so much that is common to it and the transcendentalist theories just considered. The moral law is, in Fichte's account, the law that arises essentially from Ego. The starting point of Ethics is, according to Fichte, that the Ego itself is given to itself—*i.e.*, is perceived directly by itself. But if an Ego is to know itself, it must know itself as object, and since as knowing Ego it is only subject, therefore it is not in its capacity as subject—that is, as perceiving—that it becomes an object, or is known to itself, but only in its other function of willing. As knowing it is subject. As willing it is object. This, Fichte expresses in the phrase—"I find myself as willing." But the Ego as known to itself directly and immediately as *willing* is *not known necessarily as willing anything beyond itself* but only as *willing; but as it must will something, so it is given immediately* and necessarily in consciousness as willing *itself* and as willing from itself, as self-determined—as free. The idea of freedom, therefore, is contained necessarily in the very idea of a self-conscious ego. And this conceptual necessity—the necessity, namely, with which the idea of freedom is contained in that of the conscious ego—is the ground of the necessity of the law to be free. Freedom is our first essential act, the first natural impulse of the Ego—the impulse, namely, to will itself as object.

But whatever exists, exists for thought; or, as Fichte puts it, the ground for everything is thinking. Therefore the Ego

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* Intellect and will are ascribed by Spinoza to God not as *Natura Naturans*, or, substance as eternal, but as *Natura Naturata*, or, what follows from the Eternal Necessity of the Divine Nature.

† Fichte's system is known as the system of personal ethics, because in his theory the moral law is founded on the conception that each man is a person. Still it would scarcely be right to call his system individualistic. It is from the conception of Ego in general and not from this or that Ego that he derives his whole philosophy.

as willing exists only as a *thought* object. The Ego as thinking or perceiving knows the Ego as willing; and since the Ego as object or willing has no existence except through the thinking of it (nothing has existence except for the thinking ego) the ego as object or as willing would seem to have a ground, a dependence on something distinct from itself—that is, it would seem to depend on the ego as thinking. It would seem, therefore, according to Fichte, that the Ego as willing is necessarily a conditioned and dependent thing, and that so it cannot be altogether self-directed or free—freedom being absolute independence—absolute unconditionedness. The concept of freedom therefore must go, on account of this dependence, unless we insist that the ego as thinking and the ego as willing are one—and this we must insist on. For freedom, since it is given in or is contained in the very concept of thinking, as we saw at the beginning, must be maintained at any cost; and since a necessary condition of freedom is the unity we have just referred to of object and subject, so we postulate for Ethics that Ego as thinking or as subject, and Ego as willing—*i.e.*, as object—are one principle, and that freedom is an act of the whole unit. But subject and object can never be completely identified—there must be, in Fichte's words, always disruption of subject and object. Hence the inner contradiction of Freedom, as something absolute and unanalysable in thought, something which is never realisable, but to which we must ever keep approaching, something we must keep ever tending to without ever reaching, like those curves called asymptotes, which, as Mathematicians tell us, approach ever another line, yet never reach it. Freedom then = x, which means something that is unanalysable.

But now, merely to will is to will nothing. To will we must will something definite, some object distinct from the will, some object of pleasure. Hence there can be no willing except through sense feeling and desire, for it is through feeling and desire that we become related to particular objects. This, too, is given in the very idea of the Ego. Hence in the will there is a second natural impulse, that of desire for the feeling of pleasure. This impulse is empirical, but as all objects that exist exist for thought only, so these objects of desire exist only for the thought—*i.e.*, exist for the ego, and have all their existence in the Ego. The consciousness of the necessity of freedom, together with that of the eternal opposition between it and the natural impulses, gives rise to the *feeling* of obligation.

There are, therefore, in the will two impulses—one to will itself alone, which is the impulse of freedom, the other to

desire some finite object outside of the will. Both these impulses spring out of the tendency of the Ego to *activity*. They cannot be identified, and yet if the self is to be realised they must be both realised as impulses of the one self. Both of these conditions are to a certain extent fulfilled in the harmonising of the two impulses, since in harmony are contained the two conceptions of difference and identity. The harmony of these two impulses is the moral good, and *conscience* is the feeling of this harmony. Still freedom, which is absence of determination from outside, keeps ever shrinking from desire, always standing aloof from it, and their complete harmony can only be an asymptotical existence, like freedom itself. Morality, therefore, belongs not to individual act so much as to the unchangeable character. Hence, two moral principles arise—one from the impulse to pure freedom—"Ens liberum maneat liberum"—the other from the impulse of conscience to harmonise the two impulses—the impulses of self-determination and of pleasure—"act absolutely in conformity with your conception of duty," or "whatever end you desire let it harmonise with the principle of the will itself, which is duty." It is not, therefore, *from the concept of* duty that we must act but from the *concept of harmony* with it. This is the moral law to harmonise the impulses, not to annihilate either; and we know that these two impulses are harmonised by the *feeling of harmony* or Conscience, which therefore is for us the supreme moral criterion.

But though the feeling of Conscience is, according to Fichte, sufficient as empirical proof of the truth of moral convictions, still a Rational science of Morals requires that our duties be deduced from the conception of the impulse to freedom, which is the ground conception of the Ego itself. That is, the Science of Morals requires that the code of duties be rationally deduced from the conception of Personality, which is nothing more than the freedom of the Ego. Hence the first law of morals is given by Fichte—I must be an independent Person, and whatever forwards my personality shall be used by me to that end. But in the conception of my own personality are contained the three conceptions of causality (through the body) substantiality (*i.e.*, intelligent Being) and interaction (of one Person on another Person). From these three conceptions we obtain the three laws—(1) to use the body for the sake of morality, and so to avoid insensibility on the one hand, and pleasure for pleasure's sake on the other; (2) to develop our intelligence, since between intelligence and morality there can be no opposition; (3) to use other persons not as means but as ends in themselves.

CHAPTER XIV

THE MORAL FACULTY

By the Moral Faculty is meant that faculty by which we know the moral character of human acts. The expression "Moral Faculty" is sometimes, though not commonly, used to indicate the faculty in which good and evil reside, or that faculty which elicits good and evil *acts*—namely, the will. But at present we are dealing with the faculty which elicits *judgments* about good and evil—or, as it is called, the faculty of moral judgment. If we have not headed the present chapter with the title "the faculty of moral judgment," and thereby prevented all possibility of ambiguity, the reason is that by such an expression we might seem to anticipate a conclusion which we shall have to establish in the present chapter—viz., that the moral faculty is one of judgment and not a sense or instinct. This, we think, is sufficient reason for speaking of the present chapter as an enquiry into the "moral faculty" simply.

Now, from what has been already said on the meaning of the moral "good" and the nature of the moral criterion, the reader will have no difficulty in surmising what the moral faculty is. We have said that by moral goodness is meant conformity between the human act and man's ultimate end, or between our acts and the law that is imposed upon us by our final end. And as the ultimate end of man and the law which that end imposes are known only through Intellect, so Intellect or Reason is the faculty by which the human mind judges of morality. Laws are not presented to the

human mind as facts are, immediately and intuitively. Neither is the human mind directed to the fulfilment of law as animals are by the compulsion of inner instinct. In the case of man, the knowledge of a law and direction of conduct by means of law always imply reasoning, and, therefore, the Moral Faculty will be that faculty by which we are enabled to elicit reasoned judgments about good and evil.

And the truth of this proposition should be abundantly evident to us even from experience. For in ordinary life determination of morality involves, as we know, the reasoned application of one or many general laws to an individual case, and these laws are even quoted in justification of our action whenever we are questioned about it. The same laws which we give in justification of our action are the premisses by which we reason that we are right in performing them. Reason, then, is the faculty by which the human mind determines what is right and wrong in human action.

Now, we need not say that in regarding Reason as the moral faculty we are far from claiming infallibility for this faculty. For Reason may go wrong in the sphere of morals just as it may in the sphere of Physical Science. But Reason in the sphere of morals is as reliable as in any other sphere, and can lead the mind to certitude in simple as well as in complex cases, unless, indeed, the case be exceedingly complex, in which case the fault lies not with Reason, but either with the way in which the materials of our moral judgments are presented to us, or with the will, since often the will forces the Reason to issue judgments on only a slender examination of the case, judgments which of itself the Reason would not have issued.

The moral faculty is, therefore, the faculty of Reason or intellect. It is fundamentally that very faculty by which we carry on our deductions in Mathematics or in any other science outside the sphere of morals. And what is called *Conscience* is merely the act which is elicited when we use this faculty on moral matters—the

act, namely, by which we judge whether an act is good or bad. Moral judgments, therefore, are nothing but the judgments of our ordinary Reason and intellect. But Conscience is a particular function of our intellect, for in morals we have to do not with speculative truth but with human actions. Hence, Conscience is called an act not of the speculative but of the practical intellect. But that practical intellect of which Conscience is a function is the ordinary practical intellect—the very same intellect which tells a man what to do or to avoid in ordinary extra-moral questions of the business of life—how, for instance, he ought to invest his money, or carry on a business, or preserve his health. Some Ethicians, indeed, speak of the act of Conscience as if it were a different thing subjectively from all other acts of the practical intellect, as if Conscience possessed a certain sacredness and authority based on the nature of the faculty itself which are present in no other intellectual act. The fact is that the sacredness which attaches to the act of conscience comes to it not from the faculty which elicits the act but from the object to which the act refers—viz., the "good" and duty. From the object of the moral faculty, indeed, there comes an element of sacredness which is not to be found in the object of any other faculty. But the act of conscience, as an act, or the faculty in which that act resides, and from which it springs, is not more sacred *taken in itself* than the common practical or the speculative Reason which we use in Mathematics and the other Sciences. Conscience is an act of the "sicca lux intellectus" and no more.

The moral faculty, then, we repeat, is the faculty of Reason or the practical intellect—the same faculty as that which guides us in business matters—in matters of ordinary human prudence.

We now go on to consider some of the more prominent of those theories on the nature of the moral faculty which are in direct opposition to the ethical theory of Aristotle and Aquinas. But before doing so we wish to say that if, as is customary with modern Ethicians,

and even with some Scholastic writers, we should in the following pages speak of Conscience as a faculty instead of as an act we are speaking of Conscience only in a loose sense, for, strictly speaking, conscience is an act, an act of the Practical Reason whereby a man recognises that certain things are good and to be done, others evil and to be avoided.

(*a*) *Theory of a distinct moral faculty.*

That there is a special faculty for the perception of Ethical distinctions amongst acts, and for that end alone, has been the assumption underlying many Ethical theories both ancient and modern. What that faculty is, whether it is a perceptive sense, a feeling * or sentiment, a spiritual power, or even a Divine power transcending, yet dwelling in, human nature, are questions in which schools have been much divided. Jouffroi claimed that it was a sense akin to the ordinary five; Fichte and Bradley that it was a rational sentiment or feeling; Reid and Hutcheson that it was a sense of a decidedly spiritual nature, more affective than perceptive, but distinct from every other faculty within us; More, that it was a purely spiritual faculty, worthy of a separate name, the "boniform faculty"—to distinguish it off from the ordinary Reason to which it is allied. But on one matter these theories are all in agreement—viz., on the originality of the moral faculty—that is, on its separateness from every other faculty and on the limited character of the function assigned to it—that of cognising moral distinctions, or rather the moral qualities of acts.

We shall now adduce some of the arguments on which this theory of a distinct moral faculty is based.†

Argument (1)—The Moral faculty has a certain influ-

* If we speak of feelings as a faculty, we use the word "faculty" in a very wide sense indeed.

† The first three arguments here given are taken from Hume's "Treatise on Human Nature," the fourth from MacIntosh, the fifth from Butler. Hume has other arguments also, but they are too trifling to merit serious attention. All the arguments here given are meant to serve a double purpose—first, to show that Reason is not the Moral faculty; secondly, to prove that the function of the Moral faculty is distinct.

ence over conduct—that is, is itself a spring of moral action, whilst Reason is not a spring of action. Reason, therefore, and the moral faculty cannot be one and the same. Hutcheson goes even farther than Hume in this matter, and declares that not only is Conscience an impulse—that is, a spring of action—but that it is supreme amongst all impulses commanding and overruling all the rest, so that we have but to follow this impulse to be sure we are doing the right. Wundt also insists that no intellectual faculty could be a *motive* of action, and that consequently Conscience could not be the ordinary intellectual faculty.

We *reply* that if the Moral faculty were the speculative intellect * it could not possibly be a spring of action. But there is a practical as well as a speculative Reason; and the function of the practical Reason is to tell a man the means that will lead him to, and are necessary to, any particular end. Conscience is an act of the *practical* Reason. It tells us our duty or what will lead us to our ultimate end. It tells us what acts are good, and good being naturally appetible to the will, it is thereby indirectly a spring of action. Conscience is, therefore, a spring of action. But it is a spring of action in a very particular sense. First, it is a spring of action not as *Reason* simply, but as *practical* Reason; and secondly, it moves to action not subjectively as the passions move one, but objectively—*i.e.*, by putting before the will objects to be desired. The spring of action, then, in the case of Conscience lies rather in the object than in the Reason, for Conscience merely determines what objects ought be pursued—that is, what objects should be allowed to move the will.

Argument (2)—The second argument for the existence of a distinct moral faculty is that if virtues and vices (in the sense of good and bad acts) mean respectively agreement and disagreement with Reason, then, since agreement or disagreement with Reason does not admit of

* As Cudworth regarded it.

degrees, virtues and vices could admit of no degrees, and sins should be all equal. But sins are not all equal. Therefore, virtue does not mean agreement with Reason, and Reason is not the Moral Faculty.

We *reply* (1)—The question of greater and less in sins and virtues is not a very easy one, and we shall deal with it in its proper place. Clearly, however, merely positing a new faculty for the perception of morality does not remove that difficulty. (2) Virtue * does not, *strictly speaking*, mean agreement with Reason, but direction to the Ultimate end, and Vice, movement away from it. And as divergence from an end admits of degrees, so there can be degrees of vice, and, therefore, inequality between sins. But even in the sense of agreement and disagreement with Reason, virtue and vice may admit of degrees. For since in ordinary commercial and political affairs "rational" and "irrational" admit of degrees, one action being wiser or more prudent than another, there is no reason why the same should not be the case in the sphere of moral action. The only difference between the two spheres is that, whereas morals relate primarily to the ultimate end of life, commerce and politics refer more directly to intermediate ends.

Argument (3)—If morality is a relation † cognised by Reason, then wherever that relation is discovered it should be recognised as moral. If, for instance, the sin of ingratitude is a relation cognised by Reason, then wherever that same relation is recognised, even in inanimate nature, it should be called sinful. So we should call the acorn morally vicious for growing up and destroying the parent oak, just as sons are morally vicious who prove ungrateful to their parents. But the

* "Virtue" is spoken of by Hume in the sense of the "good," which meaning we adopt here and in other places in this work for the sake of argument. The strict meaning of Virtue as a habit of the appetite will be found in our chapter on the Virtues.

† Hume takes it for granted here that if the moral faculty be Reason, morals must consist in a relation, and *vice versa*, if morality is a relation, the moral faculty must be the faculty of Reason.

action of the acorn is not recognised as morally vicious. Therefore, morality is not cognised by Reason.

Reply—It is not true that Reason must judge of the ungrateful son as it judges of the acorn. For (1) Reason is aware that without freedom there can be no morality. Killing, even in the case of man, is not regarded as immoral unless it be free; and since the action of the acorn is determined it cannot be regarded as immoral. (2) Even were the killing of the parent oak tree a free and imputable action, it need not necessarily be morally evil. Acts that are natural to one agent may not be natural to another, and nature is the standard of moral good and evil.

Argument (4)—Objects that are formally different require distinct faculties for their perception. Thus colour requires one faculty for its perception, sound another. But the good is distinct from the useful, the beautiful, and all other relations that are perceived by intellect. Therefore, the ordinary intellect cannot cognise moral good and evil.

Reply—Pushed to its logical extreme, this means that the beautiful should be perceived by one faculty, the useful by another, mathematical relations by another, political relations by another, and so on—a special faculty for each distinct relation. Nay, each distinct moral virtue should have its own special faculty, and consequently there could, on this theory, be no one faculty of morality, but an infinite number of faculties. Such a view is evidently extreme. We may also remark that not every distinction in object requires a distinction in faculty. One faculty suffices for the perception of red, and green, and yellow. And so, one faculty suffices for the perception of all relations, including the moral relation of "act to ultimate end." *

Argument (5)—Butler's argument is one which we have already referred to, and we shall have occasion to speak of it later on in the present chapter. We shall,

* For distinctions in the faculties dependent upon distinction of formal object, see Father Maher's "Psychology."

therefore, deal with it only very briefly here. The moral faculty, he tells us ("Analogy," page 378), is "a faculty in kind and nature supreme over all others, and one which bears its own authority for being so." That is, Conscience transcends every other natural faculty in man from the special function of direction and superintendence which it has from nature. Conscience is the source of the categorical imperative, and in commanding us it proclaims its own authority not only over every other faculty in man, but over man as a whole. It cannot, therefore, be identified with intellect. It is *sui generis* and independent.

Reply—Butler is not always quite consistent on the question of the function of Conscience, for he tells us also that the three functions of Conscience are *judgment*, direction, and superintendence—and judgment is certainly a function of intellect. Again, he calls Conscience the faculty of cool self-love. That is, it is a *deliberating* faculty. But deliberation appertains to Intellect. As to the particular argument before us let it suffice to say that Conscience is not a dictatorial (in Butler's sense of the term) but a judging faculty. Conscience *points out to me* what I ought to do and what acts are good or bad. It tells me that I must do certain things just in the same way as my Reason tells me I must take a certain road to a town—with the difference that in the former case the judgment is categorical, in the other case it is hypothetical. Conscience, therefore, is not supreme over the other faculties. It is simply the faculty of Practical Reason, or, to speak more precisely, it is the act of that faculty.

These are the main arguments in favour of a distinct moral faculty. They are used to show that the faculty must be something distinct from Reason, but they do not determine what in particular the faculty is. We now proceed to discuss some of the several theories that have been offered on the particular nature of the distinct Moral faculty of Conscience.

(*b*) *Conscience a moral feeling or group of feelings.*

"Conscience," says Mill, "is when the PAIN attendant on the violation of duty is disinterested, and confined to the pure idea of duty and not to any particular form of it." "Conscience," writes Leslie Stephen, "is the *group of feelings* that makes conformity to the moral law pleasant and non-conformity painful." It is, says Fichte, the *feeling* of harmony between the pure and the natural impulses in man. "Conscience," says Hume, "is not the work of judgment, but of the *heart*."* Hume also calls Conscience "humanity," meaning not the Universal man or the Universal Reason, but "humaneness" or the "Altruistic feelings." Brown tells us that Conscience is not a sense proper but the "susceptibility of moral emotion." And even those Ethicians who have claimed for Conscience a double character—namely, that it is a faculty of judgment or of Reason, and also a feeling—yet make it quite clear that feeling is the primary function, Reason a secondary. This certainly is the view adopted by Butler and Warburton. In their theories Reason is regarded as something that merely "*improves* upon the dictates of the moral sense," either, as Burlamaqui contends, "to enable us *the better* to discern and comprehend the true rule of conduct," or, as Warburton puts it, "to show that the love and hatred excited by the moral sense were not capricious in their operations, but that in the essential properties of their objects there was a specific difference."† All these theories agree in maintaining that Conscience is a feeling of some sort or other. And in support of this view we often find adduced certain factors of man's moral life which, it is said, each of us can discover in his own inner experience.

* *I.e.*, principally.

† We would also class under the present theory such explanations of Conscience as make of it an undefined *habit* or series of habits, which become conscious on the presence of certain stimuli. Thus Professor Royce defines Conscience as "a well-knit system of socially acquired habits of estimating acts, a system so constituted as to be easily aroused into conscious presence by the coming of the idea of a certain act."

GROUNDS FOR THIS THEORY.*—These facts are (1) that the most prominent element in our moral consciousness is the *feeling* of disgust or of liking with which we contemplate acts usually designated bad or good, and the feelings of sorrow and joy experienced when we ourselves are the authors of those acts. (2) A certain *vagueness* in the attestation of Conscience, notwithstanding the fact that people have the full use of Reason and have a full conviction of the moral character of an act; thus, men say that they know not why an act is bad, but they firmly believe it to be so. But vagueness, we are told, is a characteristic of feeling not of Reason. (3) The fact that Conscience often seems to oppose Reason and all the cognitive faculties. By Reason men come to the conclusion that such and such an act is lawful for them; still *some power* deeper than their Reason, some feeling which refuses to be quelled within them by Reason, will often proclaim that it is not lawful. This is the "still small voice" of Conscience which often speaks uncompromisingly and clearly even against our own well-reasoned judgments. (4) The fact that whereas Conscience grows and declines with feeling, it seems not to grow with Reason, but rather to lose in sharpness and delicacy as Reason grows more acute. Thus, Conscience is much keener in childhood than in later years, and, as a rule, is not at all so sensitive in the enlightened as in the uninstructed. Reason and Conscience, therefore, do not seem to grow and decline together. But feeling, like Conscience, is strongest in childhood, and both feeling and conscience decline together, one in the sense of becoming more controllable, the other in the sense of becoming less responsive as Reason develops. Later on again, as Reason begins to decline, the feelings (of old people) become stronger (for old people are generally more sensitive), whilst Conscience also seems to grow more sensitive, tending even to the side of timidity and scrupulosity. Thus Conscience and feeling grow and decline together. (5) Moral value in acts is unintelligible except in reference to feeling—*i.e.*, to feelings of pleasure and pain. Consequently the perception of value must be a feeling.

For these reasons it is held that Conscience is an inner feeling implanted in man originally by nature and purely independent and self-assertive.

* It is not easy to find formal written defences of the theory of Conscience now under discussion, nor indeed of any of the theories of Conscience criticised in the present chapter. Many writers of this school (for instance, M. Levy Bruhl and Leslie Stephen) simply assume that Conscience is a feeling. The above reasons have been given to us for the most part in controversies on the subject.

Disproof of the theory that Conscience is a feeling.

Against this view we urge the following arguments :— (1) Feelings, as opposed to the attestations of a sense, and the cognitions of intellect, are wholly unperceptive. Pain is a feeling, and pain is not perceptive of anything ; it is only itself a perceived state of the organism. So the feelings of approbation and of blame that accompany certain actions are not perceptive. They are merely the tendency of the appetite *to some* actions as to suitable—*from others* as from unsuitable—ends. Now, if Conscience be anything it is perceptive or cognitive. In no other way than through a cognitive faculty can we come to know the moral qualities of acts. Cognition is the primary and essential function of the Moral Faculty.

(2) When ignorant of or in doubt about the moral law we do not seek to remove our ignorance and our doubt by stirring up the moral feelings within us, or by seeking to sharpen up our faculty of feeling for its work, but rather by using our reasoning faculty—by arguing from premiss to conclusion. Moreover, it is worthy of remark that when, *after such reasoning we do at length discover the moral quality of the act,* we sometimes experience those very same feelings of approbation and disapproval which our opponents describe as the fundamental factor in the perception of good and evil. It is scarcely possible, we maintain, that these feelings should in one case be the source of our moral judgment and in another case the result of it. (3) Where feelings dwell in distinct faculties they are easily distinguishable from one another. But where different feelings belong to the same faculty, then it is not easy to distinguish them in consciousness from one another. Thus, in the organic feelings, it is very hard to say what is the painful and what the pleasant element, though pleasure and pain are often present together, making up one confused mass of organic feelings. Now, in the case of the moral act, there must be innumerable counter-feelings of pleasure and pain arising out of the various parts of the act—for instance, in the case of stealing—pleasure that we

are grown richer—sympathy for him that is robbed, &c. But out from all these stands the moral judgment, which condemns the act in its totality—even the pleasurable parts of it, and the force of this moral disapproval within me I know to a nicety—that is, I know it to be *absolute*, that it outweighs in value everything else in the way of feeling which the act excites within me. If, then, the perception of morality is a feeling, how am I able to pick that element out from the whole mass of feelings which the act excites in me? If moral perception be a feeling it should follow the laws of feeling. But it certainly is not according to the laws of feeling that one element in it should stand out, in all cases, quite distinct from the rest in the way in which the moral perception stands out. To answer that morality is a feeling *sui generis*, and that consequently it need not follow the ordinary laws of feeling, is merely to stick blindly to an hypothesis and to refuse to submit it to any known scientific test. (4) Often our most important moral perceptions are not accompanied by any feeling whatsoever. This is the clear testimony of experience, and it proves that feeling is not the essential factor in moral perception. (5) History shows that men have been known to persist in doing good heroically even when on their own testimony their feelings were neutral or even opposing.

However, though *Conscience is fundamentally* an intellectual act, based chiefly on intellectual considerations, it is, as we have already shown, *guided* in a secondary way by feelings.

Let us now briefly answer the arguments of our opponents.

(1) *Disgust and liking the most prominent element in moral consciousness.*—The feeling of disgust and liking, we reply, are not the most prominent element in moral disapproval and approval, but rather the *judgment* of disapprobation and of approval. Often, as we have just pointed out, in approving an act we have very little feeling either of disgust or of liking, and, as a rule, such feeling becomes prominent only when some *person* is a

beneficiary under our act.* Even, however, were this feeling uniformly prominent, that would not necessarily establish the priority of feeling in our moral perceptions. For feeling arouses a consciousness of itself more easily than judgment, because to creatures of flesh and blood the sensuous is nearer and more exciting than the coldly rational. But the more prominent element is not always the more essential.

(2) *Moral consciousness vague.*—Vagueness, we reply, can affect a man's *rational* convictions and judgments just as well as it affects his feelings. Vagueness attaches to many acts that are undoubtedly intellectual, such as our views of business methods and relations. Vagueness is, in fact, nothing more, generally speaking, than uncertain or badly-digested knowledge.

(3) *Moral conviction often opposes Reason.*—We reply—Reason has power to oppose and criticise its own work, and, therefore, our moral convictions, though opposed to some acts of Reason, may still be themselves convictions of our Reason. It is not feeling, for instance, that revolts against dishonest or plainly insufficient reasoning in science, but rather one's better judgment, which plainly belongs to Reason. Reasoning, it should be remembered, is often dishonest, because the will and passions can exercise a certain control over the reasoning power and extort judgments from it which the premisses are far from warranting. As a rule, however, we are not without consciousness of the unfairness done to the reasoning faculty in such cases, and it is this consciousness which enables the reasoning faculty or the conscience still to accuse us of wrongdoing, even when we have already judged that a certain course of action is lawful for us. Even, therefore, though conscience opposes our Reasoning, it may still itself be an act of the reasoning faculty.

(4) *Reason and Conscience do not grow together.*

* The question on which some modern Ethicians seem to lay so much stress—whether the moral judgment is always *accompanied* by feeling—is in our view not a question of any Ethical importance.

Conscience and the feelings do.—We reply—(*a*) Even if it were true that as Reason develops Conscience becomes less tender, Conscience might still be an act of the Reasoning faculty, since it is possible for Reason to develop in one department and at the same time to decline in another. And morals, it should be remembered, are only one department of Reason. (*b*) Also the parallelism between the growth of feeling and Conscience is purely imaginary. The least conscientious man may have the very deepest feelings. Children are in general much less conscientious than grown people, though they are more sensitive, and on some points of Morals even more scrupulous than grown people. Also, it is untrue that educated people, whose Reasons it is supposed are more highly developed, are less conscientious than others. In matters of Conscience it is difficult to draw conclusions about large classes of people—everything depends on the individual. If educated people *seem* as a body less conscientious than others, this apparent want in moral discernment is to be explained by the fact that, accustomed as they are to deal in the larger affairs of Society where often it is not easy to determine a man's obligation, and where custom has come to recognise and even to legalise a certain broadness of spirit that has somewhat of the appearance of laxity, they often seem to border closely upon the unscrupulous when in reality they are well within the moral boundary.

Conscience, therefore, though not always developed in proportion to the General Reason, is not a feeling. It is one special function of the practical intellect.

(5) *Moral value is determined by pleasure and pain.*—This argument we have fully considered in our chapter on Hedonism. Pleasure is not our sole end. And even if pleasure were our only object of desire all "value" would still not depend on feeling. Some pleasures are intellectual, not feelings of the senses.*

* An argument which is sometimes adduced is that conscience is a spring of action and consequently must be a feeling. We have, however, already shown that Reason as well as feeling can be a spring of action.

(c) Conscience—a sense faculty.

"Sensistic morals" and the theory of a "moral sense" are not one and the same. As a rule the expression "sensistic morals" is applied to the theory that moral goodness is sensuous pleasure and moral badness sensuous pain. But the theory of a moral sense, which we are now considering, is the theory that in man there is a special sense faculty for the perception of good and evil. This moral sense theory is loftier and purer than the Hedonistic system, since whereas in the Hedonistic system morality is subjective, selfish, relative, and alterable, morality on the moral sense theory is regarded as something objective and inherent in our acts, something that transcends every consideration of advantage or utility whether of the individual or of the race, something, therefore, worth pursuing in and for itself. But what we have to discuss now is not the nobility or purity of the moral sense theory, but its truth.

The "moral sense" theory of Conscience is not always easily distinguishable from the theory just criticised of "Conscience a moral feeling." Speaking broadly, the moral sense, as described by those Ethicians whom we are now considering, is as distinct from moral feeling as the material senses are distinct from material feelings. Thus the senses are primarily perceptive faculties; the feelings are primarily affective. Whilst, however, the upholders of this present theory make a perception through sense the more original element in Conscience, some of them hold that it also includes feelings arising out of this sense perception. In so far as this theory includes a feeling-element in Conscience it is identical with the Moral feeling theory of Conscience, and stands or falls with that theory. We now limit ourselves to the theory that Conscience is a sense faculty.

The theory of "Conscience—a moral sense" has many forms. With Hutcheson the moral sense is described as a faculty which not only reveals to us the general laws of good and evil, but also "diffuses itself through all the conditions of life and every part of

it" *—that is, it recognises the morality of every particular act. Brown and Reid, on the other hand, consider that the moral sense is capable of perceiving only general rules of morality.† Then, too, to emphasise another point of distinction, with Robinet, the moral sense is regarded as purely material—a sixth sense on a par with the five external senses; whilst with Reid and Hutcheson it is a spiritual sense and quite different from what are known as the material senses.‡ Putting aside now all minor questions about the particular nature and qualities of the moral sense, we shall confine our attention to this one question—Is the moral faculty a sense faculty—*i.e.*, a non-intellectual faculty? Can we cognise morality by a sense as we cognise colour by sight and perfumes by smell? We reply that we cannot; that the moral faculty is not a sense. For

1. Every sense has its own particular object, which object is always some corporeal or material quality. By vision we see colour, by hearing sound. No sense has relation as its formal object. Now, moral goodness is in its essence a relation—the relation of an act to man's last end, and this can be the proper object of an intellectual faculty alone. It may, indeed, be said that sight perceives the spatial relations of position between one coloured body and another, and hearing a relation of pitch between different notes. It does not follow, however, that moral relations are also cognisable by a sense, for local relations are relations between material objects, and if sight perceives relations of space it is because, primarily and directly, it perceives the bodies as coloured, space being an attribute of material bodies. But morality is a relation subsisting not between body and body, but between act and end, or, more precisely still, between the internal act or act of the will (which sense cannot perceive), and an end which is also unper-

* "On Human Nature," Chapter I.

† On the question of the object of the Moral Sense, these moral sense Ethicians are as undecided as they are divided from one another.

‡ Curiously enough the Moral sense, according to Reid, gives the general principles of Morality, Reason gives the particular conclusions.

ceivable by sense. All that the eye, for instance, can see is the dagger plunged into a body, but murder itself, in so far as it is immoral, lies primarily in an act of the will directing us to kill something which ought not be killed. This inner relation the senses cannot perceive. That, therefore, which is primarily and essentially the seat of morality in human action is out of the reach of the senses altogether. Consequently, morality cannot be cognised by sense.

2. Many acts are bad merely because they are forbidden—*i.e.*, they become bad through a positive law directed against them. Now, the act of will involved in such acts is as truly bad as are offences against the laws of nature. But *regarded in itself* the act that is done is exactly what it would be were there no law forbidding it. The faculty, therefore, that distinguishes between the moral quality of these acts before and after legislation directed against them must be capable not only of perceiving the act done but also of appreciating the binding power of legislation. And since this is impossible to sense, the moral faculty cannot be a sense.

3. It is as directed against the moral sense theory now under discussion, and not against the theory of a rational moral faculty, that Hume's celebrated difficulty assumes importance. If, Hume argues, immorality be a definite relation cognised by Reason, then wherever that particular relation happens to be realised, whether in a free or a determined subject, a conscious or an unconscious one, the Reason should instantly recognise its immorality. Now, we have seen that this argument does not hold in the case of Reason, since Reason is able to distinguish between conscious and deliberate violations of a law and mere unconscious action, and, therefore, though we condemn ingratitude in men we do not condemn the acorn which kills the parent oak. But, on the other hand, if sense were the faculty by which morality is perceived, it should be affected in the same way towards the ingratitude of a son who ill-treats his father and the ingratitude of an acorn which rises up to destroy the

parent oak. For a sense could not realise, as Reason can, that in one case the act was conscious and free and in the other unconscious and determined. Its judgment, therefore, should be the same in regard to both cases. But we know from experience that the moral faculty is able to distinguish clearly the merits of the two cases. It is able to recognise that, whereas the action of the acorn is not a crime, ingratitude is a crime. Hence, the moral faculty is not a sense.

4. The senses perceive by direct intuition. All, therefore, that we shall have to say later against intuitive morals tells equally well against this theory of a moral sense as against the intuitive theory generally. Thus, if man be endowed with a special sense faculty for the perception of morality, there is no reason why the morality of certain acts should remain completely hidden from him whilst the morality of others is knowable. Yet there are acts the morality of which is not known. The other arguments against the Intuitionist theory we need not anticipate here.

We see, therefore, that sense is wholly inadequate to the fulfilling of the most essential functions of the moral faculty. Of course it might be argued that the moral sense is *sui generis* and not in anything like the other senses, and that consequently we should not, as in the foregoing arguments, expect it to follow the laws of the other senses—*e.g.*, that a sense perceives only what is material, that it perceives only the external element of acts, not the internal, &c. We answer, as before, that such a style of argument is quite illogical, and that it springs from an unwillingness to submit a theory to any kind of serious scientific test. There are, if we might adopt an analogy from Physical Science, arguments that go to prove that electricity is not a fluid, which arguments, of course, presuppose certain essential characteristics in fluids which are not to be found in electricity. What would be thought of the scientist who would answer these arguments by claiming that though electricity is a fluid, it is a fluid *sui generis,* and has none of

the characteristics of other fluids? The plain answer is—If it has *none* of the characteristics of other fluids it is not a fluid. So if the moral faculty be a sense it will exhibit at least those essential qualities that characterise *all* the other senses. If it has none of these it is not a sense.

(*d*) *Conscience the universal or impersonal Reason.*

The tendency of certain schools of modern Ethics is to regard the individual Conscience as merely a phase or moment in the Universal Reason, which latter, it is asserted, is the only true and genuine Conscience—the only Conscience to be followed and believed. This universalisation of Conscience is not always expressed in the same way by Ethicians, and consequently it is often not easy to find anything like common ground amongst theories which are usually classed as Universalistic. Thus Hegel describes conscience as "the objective Universal Spirit"; Clifford,* as "the voice of the tribal self"; Leslie Stephen, as "the utterance of the public spirit of the race." These latter two expressions represent, indeed, modified forms of the Universalistic theory of Conscience which at present we shall not further consider. Our examination will be confined to the theory expressly stated by some Transcendentalists and Monists and implicitly held by all, that Conscience is the Universal Reason, the absolute Reason in which all things subsist and through which they come into Being.

Criticism—We shall here set forth just one of the arguments adducible against this theory of the "Universal Conscience." † If men be ruled by a single universal conscience it is impossible that they should *con-*

* Quoted by Mackenzie.

† As we are here dealing with moral questions only, it is not in our province at present to disprove the general Metaphysical theory (advocated by Green and others) that there exists a Universal Ego or Self in which all individual *selves* subsist. This theory has been severely handled by many modern Ethicians, notably by Professor Taylor in his "Problems of Conduct." Here we can only examine the question on its moral side. See, however, note, page 434, also chapter on Evolutionist Ethics, page 429.

sciously entertain opposed moral beliefs. Now that there are such differences in our moral beliefs will not readily be denied. The question then is—How could these differences be reconciled with the theory that there is but one single conscience existing amongst men, since if there be but one Universal Moral Conscience it is in that one conscience that such opposed beliefs must consciously reside? Opposition between judgments consciously entertained are possible only in some one of the three following ways—(1) same principle of judgment—*i.e.*, same mind judging, same time condition, but distinction in the objects about which one judges.* Thus a man could judge that one object is white and that another is not white. That two and two are four, and that two and three are not four.† (2) Same principle or mind judging, same object of judgment, but difference in time conditions. Thus, about a particular object the same intellect can elicit one judgment to-day and its exact contradictory to-morrow. (3) Identity of object and time, but difference in the judging principle, as when many minds hold various opinions simultaneously about the same subject-matter. We can, of course, have distinctions under all three heads together—distinction of knowing mind, of time, and of object, and correspondingly different acts of judgment. But where the judging intellect is one, the time one, and the object one, a qualitative opposition in the *conscious* moral judgment becomes absolutely impossible. Indeed, in any mind there can be but one conscious act of judgment at any particular moment, and it could no more be positive and negative than an object could at the same time be black and white. Hence, if the conscience of all men be one, it is quite impossible that at one and the same time there could be opposing conscious moral convictions about any

* NOTE.—If the subject be out of all-time conditions, as is supposed in the theory of the "Timeless Self," then the laws stated above in (1) and (3) hold good. For such a being any contradiction once effected or asserted is eternal.

† This is "opposition" only in a very loose sense of the term—opposition of quality in judgments.

particular subject-matter. But contradictory judgments do exist in the consciousness of different men. Therefore, the theory of the Universal Conscience is untrue.

To this argument there are three replies which we must consider :—

I. There is, in the first place, the obvious reply that the "Absolute," as the Monists or Transcendentalists teach, contains many *individuals*. Now, individuals are opposed to one another, consequently it is possible that an Absolute Consciousness should contain many different and opposed moral judgments also.

We rejoin.—(*a*) The Monistic theory that all individuals are contained as parts in the one all-embracing Absolute is untrue and impossible. The disproof of this theory, however, belongs to Metaphysics not to Ethics. (*b*) Even if it were true that many individuals could subsist in the one Absolute it does not follow that many contradictory judgments could subsist in the one consciousness, for individuals are not opposed in the same sense in which contradictory judgments are opposed. Individuals are opposed in the sense that one is not and could not be the other. Contradictory judgments are opposed in the sense that if one is true the other is false. Individuals, therefore, can exist together in the one world. But contradictories cannot subsist consciously together in the one mind.

II. A *second* reply to our argument that there cannot be a single Universal Conscience, since such a Conscience should consciously harbour opposed moral judgments, is given by Fichte as follows :—Conscience is not a judging faculty at all, and consequently a universal conscience could not contradict itself* even though all consciences were contained in it. "Conscience," Fichte writes, "is no power of judgment," its office is legislative not judicial. It does not tell us what is right, but it commands us to do the right and for the sake of the right. In Kantian language (Fichte only develops Kant's own view) Conscience is not a judgment proper, but the "pure form of the moral judgment." Its act is not a judgment that something is good, but an imperative to do the good for the sake of duty. It is what Laas calls the "pure empty form of scrupulosity." To know what is the good or our duty in any particular case is, according to Fichte, the work not of conscience but of a man's individual *Reason*, and it is in that work alone that error and variation appear.

* "Science of Ethics," page 183.

The command to do the good is a necessary dictate of every man's conscience. Hence, it is possible that all individual consciences should be contained as parts in the one Universal or Absolute Conscience, nor need the diversity of men's judgments on moral matters render the Universal Conscience a repository of contradictory moral decisions. To this second argument we rejoin as follows:—We take it for granted that since a man *does* sometimes reason on moral matters, and since in these cases his conclusions are expressions of some particular duty—assertions, namely, that something is to be done—two premisses at least are required from which to reason—one, that the good is to be done, another, that this act is good. Two things follow—(*a*) that our two premisses must both be judgments; (*b*) that they must both reside in the same faculty as that which draws the conclusion. For (*a*) if the two premisses be one a judgment and another a mere command, they could not yield a conclusion. Hence, Conscience, in giving the premiss "the good is to be done," is a judicial and not a dictatorial faculty—that is, its act is an act of judgment, not a command. (*b*) The *same faculty* that draws the conclusion, "this ought be done," must be the faculty which issues the two judgments, "the good ought be done" and "this is good." If not, no conclusion could be drawn. And since the drawing of the conclusion is the work of the individual Reason, so the law "the good is to be done" cannot come from the Universal Reason.

III. A *third* reply is given by Hegel, and is as follows:—In man, there is a double conscience—one, the "true conscience," in which all men agree; the other, the "moral conscience," which is proper to each individual, and by which they may differ. The first is the *pure* "Universal Conscience," the second is the Universal Conscience working along with the individual intellect in an individual mind. The first is always true and cannot go wrong; the second may err,* but the ground of the error is the individual element or individual intellect—the element which the Universal Conscience has not wholly "taken up into itself" or with which it is not wholly identified.

Reply to Hegel.—Now, the question is—are there in each

* "Philosophy of Right," page 131 (Dyde). The True or Universal Conscience is none other than the State or the Ethical objective Spirit (the absolute Universal) or a phase of it. Subjective or formal conscience belongs to the individual. The first cannot err. It is "the disposition to desire what is absolutely good." Subjective conscience should be made to conform to the true conscience.

A full and interesting account of Hegel's theory is to be found in Elsenhans' "Entstehung des Gewissens."

man two consciences, one the individual and one the Universal? No doubt, according to Hegel, the true Conscience is the State. But this true conscience is supposed to be a formative principle of the Individual Reason. For State and individual are, according to Hegel, only phases of the Absolute. If, then, this Universal Conscience exist at all it must exist in individuals. If not we have nothing to do with it, for our present question relates to errors in individual moral judgments, and Hegel's theory is meant to solve the difficulties of the individual error.

If, then, in the individual there are two consciences, how is it that when we do actually err in conscience we are never conscious of two judgments, one that of the Universal Conscience (a true judgment), and one a judgment of the individual and false? If the Universal Intellect be part of ourselves or in ourselves, its judgment, if there be any, ought be recognisable within us, and then there is no reason why we should not be conscious of it in cases in which the individual Conscience falls into error. But when in error we are conscious of one judgment only—viz., the false judgment—and hence we conclude that it (the false judgment) is the only one which is issued in case of error. Someone may say that the Universal Conscience is as yet not able to assert itself, so buried is it in the Individual elements from which it is struggling to free itself, and that hence its judgment may not be able to rise above the threshold of our Consciousness even though it exists within us. Our reply is that if after so many years of development it has not yet sufficiently freed itself within us, or sufficiently gained possession of us to make itself felt or heard at least faintly and, as it were, from afar, it is idle to hope that it is ever going to free itself or manifest itself to us in any way. But in reality there is no trace of any such second judgment within us. It is the purest imagination. There is present in our consciousness but one moral judgment in the case of each moral decision. What then, if it exists, is the Universal Conscience doing? Its judgment, it is maintained, is true ; but where is its judgment to be found?* And if it is not to be found, how is this Universal Conscience known, or how is it part of us or we part of it? At all events, the individual Conscience being the only one of which we have any knowledge, the individual

* The pure Universal Conscience, according to Hegel, finds its objective expression in the State, not indeed in this or that State or any State that we know, but in the Universal State. To look, therefore, for attestations of the Universal Conscience in the laws of the State would be quite as irrational as searching for them in our self-consciousness, for the only States which we know are the individual States, just as the only Conscience that we know is our individual conscience.

conscience is the only one that does the work we have attributed to conscience, and hence the judgments of the Universal Conscience are of very little consequence to Moral Science.

Again, there are such things as controversies upon moral matters. Controversy means that two men, A. and B., have opposite convictions, that these convictions are pitted one against another, until finally one conviction—namely, the false one—vanishes. Now, it is quite certain that he in whom a particular conviction has vanished is conscious that the substitution of another conviction for the one that is gone is the work of the very same faculty as that which formerly was convinced of the opposite view. That individual faculty therefore which has now created in him the true view of the case is the same that once was false. The true judgment and the false belong to one and the same faculty. Further, as one of these two opposing convictions grows stronger and stronger the other of necessity grows weaker and weaker, until finally it disappears. But the law of inverse proportion in opposing characteristics holds only where the subject is a single unit. If a thing be one, then increase of black on its surface means diminution of white. But if the objects are two, no such law of inverse proportion holds; one can be black and the other white, and increase of white in one does not mean decrease of black in the other. So neither could the law of inverse proportion hold in the case in which a true moral judgment replaces the false unless that very same faculty or thing which was subject of the false judgment (on Hegel's own confession the individual Reason) is subject also of the true.

It will be said, however, that our representation of this theory of the Universal conscience is crude and inadequate, that an individual man need not be conscious of this universal intellect or its judgments, whilst yet it may so transform individuals as gradually to harmonise all differences of moral opinion and bring out the true scientific conviction of the race. We can only say that, whether our account of it is adequate or inadequate, the existence of a Universal Conscience is a pure hypothesis; that its existence has not been proved; also, that it is not necessary for moral science; that, on the contrary, it runs counter to the very root elements of the science. Also, we may repeat, if this Universal Conscience exists in me and if I subsist in it, if *it* be the "true conscience," it must influence me in every act in which conscience has a part; and since it must have, in all the years gone by, to some extent at all events, shaken itself free of the individual fetters—*i.e.*, have overcome the individual instead of being overcome by the individual—it must by this

time have so asserted itself in me as to make me at least faintly conscious of it when it speaks. But I am not conscious of it. I know from experience that in many acts it exerts no influence whatsoever over me, so that I can and often do err without the faintest suspicion that I am in error.*

There is, therefore, in each man but one Conscience—which is his own individual Reason. But it is right to add that above us *and distinct from us* there is one Universal Reason which is the ultimate type and criterion of the truth for every man—namely, God's Reason—to which all our judgments must conform if knowledge is to be true.

(*e*) *Theory of "Conscience the voice of God."*

Briefly stated, this theory is as follows:—Conscience has by nature certain functions to perform within us. These functions are mainly three—(1) Conscience confronts us with our deeds in order to pass sentence on them (*testificari*). (2) It declares the act which it has so imputed to us either blameworthy or innocent (*accusare* and *excusare*). (3) It gives us a law for our future conduct commanding us to do certain actions and to avoid others (*instigare* and *ligare*).† Conscience exercises all these three functions, and it exercises them without regard to our wills or our desires. It brings our faults before us and chides us with them and passes sentence upon us coldly and impartially, without fear or favour, as if it were not part of us or had any dependence on us whatsoever. Conscience, then, bears upon it every mark of supremacy. It, in Butler's words, "carries its own authority with it," and is its own guarantee that it has the right to try and condemn us, and legislate for us, and

* This difficulty of the "erring conscience" is, indeed, the nightmare of Universalism. Schleiermacher also attempts to answer it, but he can only repeat Hegel's reply. Conscience, he tells us, is God Himself. How, then, can conscience err? Conscience, he answers, is the Infinite God only in so far as it is true. In so far as it is false it is identified with the individual. God is the Universal fully developed. In the false conscience the Universal is not fully developed.

Such childish reasoning can really only bring the Science of Ethics into disrepute.

† On these three functions of Conscience all Scholastic Ethicians are agreed. It is to the inference from them given in the text that we take exception.

direct us in all that we do. We feel that it is a power, that we cannot evade it, that if we try to escape it will pursue and run us down, that it is always with us, and always superior to us. It fears nothing from us, and delivers its judgments quite unsympathetically, but always in such a way as to gain our instant submission. We may disobey it, but we feel that we ought not do so. "Our mortal nature," writes Professor Caird, "trembles like a guilty thing before this awful legislation of Reason." It uses no material forces to bring its laws to good effect. It merely proclaims its right to legislate. "Had it might as it has right it would rule the world," says Butler. We have, then, within us a voice that is ever calling us to account, ever proving to us its own supremacy and its sanctity. It is not part of ourselves because it is often against us. It is above us because it subdues us, not externally, but in the heart. Each man feels that it is supreme over him, and that as it is supreme over him personally so it is supreme over every man and over the race. What, therefore, is it? It is not a creature, for no creature could exact from us such absolute homage, such unconditional reverence, nor create in us the confusion which this Invisible Power creates. Putting together all the attributes that are exhibited in its least word—Power, Majesty, Beauty, Holiness, &c.—we can only say that it bears all the marks of the Supreme Being, the One all-pervading Spirit who is above all things. Conscience, therefore, is the voice of God. It is not a faculty in the ordinary sense of the word. It is not merely a Statute Book, enshrining the Divine law. It is the voice of the Creator Himself, and when I hear it I am listening to God Himself, am in His presence, just as I am present to any friend that I hear and do not see. Had we no knowledge of God *aliunde,* and no proof of His existence as First Cause of the Universe, we should in these intimations of conscience find proof of His existence, or rather we should find in them something more convincing than proof—viz., we should have actual experience of

Him in the hearing of His voice and the receiving of His personal commands.

Criticism—To this line of argument we reply as follows:—(1) Conscience is God's voice, in the sense that from the attestations of Conscience we may learn God's law. (2) Conscience is not the immediate personal Voice of God. (3) In Conscience we find no proof of God's existence.

(1) *Conscience is God's Voice in the sense that from the attestations of Conscience we may learn God's law.*—Conscience is that function of the practical Reason by which we establish moral conclusions. As a faculty it is not in any way different from that which directs a man in the other practical concerns of life, political, economical, and commercial. Now, if the practical Reason be used aright it must be true. If it is not used aright it will go wrong. But just as the speculative Reason, when true, is in perfect harmony with the objective order which it represents, whether mathematical, metaphysical, or physical, so when the conscience is true it expresses and accords with the facts of the moral world. Now, God's intellect is always true; nay, from Him all truth proceeds. Hence, the true Conscience, the Conscience which harmonises with objective truth, is an exact replica of God's mind on Morality. In this sense, therefore, Conscience is the voice of God—viz., as truly representing God's mind on human good and duty. Thus, Conscience claims from us reverence and submission, not from what it is in itself, but because through it we can come to know God's law in our regard. Directly and immediately, therefore, Conscience only tells us what is good and what is our duty. But indirectly it tells us also what is God's mind in our regard.

(2) *Conscience not the immediate personal voice of God.*

(I.) Our first proof of this proposition is that if Conscience were the personal Voice of God—that is, if the personal Voice of God were the source of our knowledge of moral distinctions—then we should not be able to dis-

tinguish between natural and positive law. That is, we should not know what was naturally and necessarily forbidden by God, and what freely. If a ruler says to his subject "Do this," *and if this be the only way in which the subject can know that such and such an act is commanded,* he could not possibly say whether that act was necessarily or freely commanded. But now I do distinguish between the natural and the positive law. I know there are some acts that God must forbid. Therefore, I am able without the aid of the Voice of God to know that some acts are bad intrinsically. And, therefore, since Conscience is the faculty of the knowledge of moral distinctions Conscience is not the personal Voice of God.

(II.) If Conscience be the voice of God, how can there be differences in men's moral judgments? The Voice of God must speak truly if it speaks at all. Yet the consciences of some do not speak truly. Therefore, Conscience is not God's personal Voice. And in this connection it is worthy of remark that in the true judgments of Conscience there is not a single psychological experience which might in any sense be regarded as indicating the presence of God personally in Conscience, which is not to be found also when our judgment is false. This second portion of our argument we recommend to the reader's earnest consideration not only in relation to our present question but also in regard to our criticism of Hegel's view of Conscience.

(III.) If Conscience is the immediate personal Voice of God, why am I left in ignorance about a great part of the law concerning which we even wish for information? It is worthy of remark, too, that those cases in which I am left in ignorance are, for the most part, the more complicated moral problems, not the easier ones; and it is not likely that God would make such choice in his instructions and intimations.

These arguments some might answer by saying that God's Voice gives utterance only to the judgment that we ought to do the good, and that then the individual

Reason determines what is good in any particular case. But this form of the theory is practically the same as Fichte's, and needs no further examination.

(3) *Conscience offers no proof of God's existence.*

In a former chapter we showed where in the science of morals we might look for an Ethical proof of God's existence—not in the attestation of Conscience, but in the fact that the natural end of the human will is the Infinite Good. And since the natural end of any natural faculty must be real, therefore the Infinite Good is real. But this real Infinity is God.*

Very different is the proof from Conscience as developed by Cardinal Newman and others.† "As from a multitude of intuitive perceptions," writes Cardinal Newman, "acting in particular instances of something beyond the senses, we generalise the notion of an external world and then picture that world in and according to the particular phenomena from which we started, so from the perceptive power, which identifies the intimations of conscience with the reverberations or echoes (so to say) of an external admonition, we proceed on to the notion of a Supreme Ruler and Judge, and then again we image Him and His attributes in those recurring intimations, *out of which as mental phenomena our recognition of His existence was originally gained.*"

We reply—It is because we know *aliunde* the existence of God, and know also *aliunde* that the intuitions of Conscience *represent* the Divine will that therefore we conclude that the objective moral relations revealed by Conscience are commands of God—commands, that is, of a Ruler who is all-perfect, wise, just, and powerful, of One who is not indifferent towards His own laws, but who as Creator of that very order which Conscience reveals to us is offended and pained at its violation by

* This argument, as we said before, is a *rational* proof. It has no dependence on mere subjective feelings. It therefore falls in with the other rational proofs for God's existence like that from the necessity of a First Cause.

† "Grammar of Assent," page 104.

those who owe Him all the love that He may claim from them. But could we *per impossible* imagine a state of civilisation in which men had not as yet thought about the existence of God, and, consequently, had as yet no idea of Him, then, indeed, would all this sacredness of which Newman speaks be gone from Conscience—the sense, that is, of a loving Father offended, of personal Majesty outraged, of a trust betrayed. We cannot agree, therefore, with Cardinal Newman when he writes:—"Though I lost my sense of the moral deformity of my acts, I should not, therefore, lose my sense that they were forbidden to me"—meaning that Conscience reveals to me, first and before all things, not that an act is bad, but that an act is forbidden to us—the badness being only an inference from the prohibition. This, indeed, is the plain summing up of the theory of "Conscience—the voice of God," and it is disproved by ordinary experience. For apart from Revelation it is not possible to know what acts God forbids unless our reasoning first shows them to be bad. Again, the consequences to which this theory leads have already been pointed out. For instance, if prohibition be the sole source of my knowledge of evil it is impossible that I should be able to distinguish between acts which God prohibits because He *must* and acts that he prohibits because He freely wills to do so. But we can and do make such distinctions. Therefore, that acts are bad is known on other grounds than those of Divine prohibition.

In conscience, therefore, we find no proof of God's Existence.

Note.—That Conscience is the Voice of God or some other direct expression or Manifestation of Him has been held by very various schools of Ethicians, whom we do not think it necessary to consider in any special or formal manner here. This theory is naturally adopted by nearly all pantheists and monists, especially by those who make Reason the Universal principle. Thus Krause [author of many Ethical works, principally the "System der Sittenlehre" (1810), "Das Urbild der Menscheit" (1812)] represents

Morality as *felt* within us, as a result of the impulse of the Divinity to realise itself in the world. Duty is the constraining force of this impulse. Krause's theory is briefly described by Jodl, "Geschichte der Ethik," page 96, from whom we take the following:—"The one all-embracing Reason (which Krause regards as an Eternal sphere within the Divine Being and co-ordinate with nature, somewhat after the manner of Spinoza's attributes) passes over into the individual and into the time-series (of nature), in order to manifest God (to men) through the realisation of Reason in nature, whilst (at the same time) it works in the individual as the fundamental impulse of things (Urtrieb). This impulse is the eternal God-directed causality of the (absolute) Reason itself. It carries with itself its own authority as the feeling of the unconditioned original 'ought'—of unconditioned obligation, of the unchanging command that the Urtrieb alone should regulate the construction of the time-series because it (the Urtrieb) tends to the one highest good. The activity of this impulse may be regarded either as necessary or as free. . . . It is necessary in so far as it is the universal essential form of all rational activity as well as its eternal life-form. It is free in so far as it is present in and is formative of this time sphere."

Whether this account of Conscience is of real value to Philosophy we leave to the reader to determine.

APPENDIX

On Probabilism

It would be impossible for us to give a full account of the theory of Probabilism in the present work, but we may mention its essential features. Its first principle is that it is unlawful for a man to act except with a *certain Conscience of the lawfulness of his act*, since the same law that forbids any man from doing evil forbids him also from running the *risk* of evil or of doing what *may be* evil. Now, when we say that a man should have a certain conscience that his act is lawful we do not mean that he should be certain that the act that is done, considered *abstractedly* or in itself, is a good act, but he should be certain that *his doing of this act* is lawful. Different Ethicians often hold different views as to the lawfulness or unlawfulness of certain courses taken in themselves. Some

say these courses are good, some that they are evil; but, provided that these views are solidly grounded—that is, are supported by prudent and well-grounded reasons—then it is *certainly* lawful for us to follow either view, even though the other view which we do not follow is *more* probable than the view which we follow. We say "it is *certainly* lawful," because it is *certain* that no law can bind in conscience in such a way that to violate it is a sin, unless the law be fully and certainly promulgated to our reason; but a law which is only probable, or which only probably forbids a certain course of conduct, is not fully promulgated to us, and hence it is *certainly* lawful for us to ignore such a law and to do those things which it is supposed to forbid. Hence it is certainly lawful to do an act which is only probably forbidden, or, as Ethicians say, it is lawful to use a probable opinion against a law.

This is what is meant by Probabilism in Morality. Our account of it is indeed crude and wanting in detail, and there are many exceptions to our proposition that "it is lawful to use a probable opinion against a law." The principle of Probabilism given here applies to the *lawfulness* and *unlawfulness* of acts only, not to questions of validity which sometimes arise in connection with our acts. A contract, for instance, may be invalid when it opposes law, even though at the time of making it we were not certain of the force of the law in regard to it and used a probable opinion. Also, cases in which certain acts so appertain to the attaining of our final end that to omit them involves the risk of the loss of that end *whether their necessity be now and in this case certain or not,* do not come under our rule. These cases, however, appertain principally to Moral Theology rather than to Ethics. For instance, for those who regard baptism (if we might be allowed to use an illustration drawn from Revealed Theology) as necessary for Eternal Life, it would not be lawful to rely upon a baptism doubtfully given on the ground that it is probably all right, for even though it is probable that the baptism has been given, still if *de facto* it has not, we cannot gain eternal life. This instance we give merely for the sake of illustrating a possible class of exception to the general principle that in morality it is lawful to use a probable opinion against a law.

Other exceptions will be found in books on Casuistry.

CHAPTER XV

ON INTUITIONISM: OR, IS MORALITY SELF-EVIDENT?

HAVING seen that the Moral Faculty is none other than the Practical Intellect, the question naturally arises how the Intellect attains to the knowledge of moral truth—whether the knowledge of moral distinctions is intuitive and immediate or whether it results from reasoning.

The importance of the question whether morality is self-evident—that is, is known immediately or intuitively—will not, we think, be called in question by anyone who knows the requirements of a science of morals. In any science it is important to know what truths are self-evident—that is, what truths may be accepted without proof. In every science, and even in every art, something may always be accepted without proof. "There are some people," writes Aquinas, "who want to have (even) the Principle of Contradiction proved to them (a state of mind), which is the result of 'apaedeusia,' or want of education and discipline. It is from want of education that some men never know what propositions need proof and what do not, for not everything can be proved."* We must, then, in each science accept certain principles as self-evident.

On the other hand, to regard everything as self-evident or intuitively known would mean the complete abolition of Science, because for things intuitively known there is no need of a Science, whose function is to proceed from the known to the unknown.

Now, some authorities seem disinclined to allow that

* "Commentaries on Aristotle." Metaphysicorum, Liber IV., Lectio VI.

anything in morals is intuitively known, whilst others regard everything as intuitive, and hence we have undertaken to discuss this question of how far we may regard the morality of actions as intuitively known or self-evident, and how far it requires reasoning.

The question whether morality is self-evident will be treated by us under the following headings:—

(*a*) Exposition of our own view, which is based on the Ethics of Aquinas, that some of the more fundamental moral truths are self-evident.

(*b*) The theory of Perceptional or Unphilosophic Intuitionism, that not only all moral principles, but even the morality of all individual acts, are self-evident or are known intuitively.

(*c*) The theory of Common Sense or Philosophic Intuitionism, that *all* general moral truths are known intuitively (with, however, a vague use of the word "general").

(*d*) Some special theories of Intuitive Morality.

(*a*) Exposition of our own Doctrine

(1) *Meaning of "Self-evident truth."*

Before making a critical examination of theories of self-evident morality we must explain precisely what is meant by a self-evident truth. A self-evident truth (or, as Aquinas calls it, *per se nota*) is a truth which is evident to anybody who knows the meaning of the terms—that is to say, the truth in question is apprehended without reasoning, and on the mere enunciation of the proposition it is seen that the predicate is contained in the subject.

There are some self-evident truths the terms of which are understood by all men—for example, the truth that the whole is greater than the part. These self-evident truths are *self-evident to all* men. There are other self-evident truths the terms of which are understood only by the wise. These truths are self-evident only to the wise.*

* A self-evident truth considered in itself and without reference to its being presented to or understood by a human intellect is called by

It is hardly necessary to point out that it does not follow from what we have just said that whatever propositions are known to all are also, in the strict sense of the word, self-evident. For there are some truths that can be known by a very simple process of reasoning, so simple, indeed, that the mind cannot help performing it if it thinks at all, and these truths may be known to all. Now, since they involve reasoning, these truths are technically and strictly not self-evident or intuitive. Yet they may be almost intuitive, and we think that Ethicians generally would be willing in practice to regard such truths as self-evident or intuitive.

In our discussion on Intuitive morality our position (in agreement with Aquinas) is that some fundamental moral truths are self-evident, and by this we mean that they are *self-evident to all* men because the terms of a moral proposition are simple and understood by all men. We will now in this sense take up the question—

(2) *Are any moral principles self-evident?*

That some fundamental moral truths are self-evident is manifestly Aquinas' teaching, for he makes frequent reference to the primary precepts of the natural law in the human Reason as holding the same place in morals that self-evident principles hold in the speculative sciences. Thus, regarding the question whether the precepts of the natural law are one or many he writes :— "The precepts of the natural law in man in regard to action are like the primary principles in the demonstrative (sciences). But the primary *indemonstrable*" (*i.e.*, self-evident) "principles are many; therefore the precepts of the law of nature are many." *

Aquinas *per se nota in se.* A self-evident truth actually presented to our intellect, and consequently understood by us if we understand its terms, is called *per se nota quoad nos.*

* "S. Theol.," I., II., Q. XCIV., Art. 2. Again Aquinas writes— "S. Theol.," I., Q. LXXIX., Art. 12—"Sicut ratio speculativa ratiocinatur de speculativis, ita ratio practica ratiocinatur de operabilibus; oportet igitur naturaliter nobis esse indita sicut principia speculabilium ita et principia operabilium. . . . . Principia operabilium nobis naturaliter indita non pertinent ad specialem potentiam sed ad specialem habitum naturalem quem dicimus *synderesim,* unde et synderesis dicitur instigare ad bonum," &c.

Now, it is clear that some moral propositions must be self-evident, for many of our moral beliefs are deduced from other beliefs, and all deductions must ultimately begin with principles that are self-evident. If any deductive science were without such principles it is impossible that we should ever reason in that science. For all reasoning, like all movement, must begin from a fixed point, and in the case of reasoning the fixed point is the principle, or group of principles, which the human intellect accepts without the need of reasoning and on the ground of their own intrinsic evidence. Hence, there must be some self-evident moral principles.

Some might urge against this view that the first principles of morals—though first and indemonstrable in the science of Morals—may yet be capable of and require proof in some other science more fundamental than that of Morals, and that consequently they are not self-evident. Our reply is that the principles of Morals are principles about goodness and duty, and such principles could not be proved except by other premisses that concern goodness and duty—which latter premisses are, therefore, themselves moral propositions ("the first principles of Ethics must themselves be Ethical"); and since reasoning must begin with what is self-evident these fundamenal moral propositions, on which all others are grounded and by which they are proved, must be self-evident principles. There are, then, some self-evident moral propositions.

But now we come to the much more difficult question—Which are these self-evident moral principles?

The reader must not expect, nor would it be possible to give, a full enumeration of all those propositions which we regard as self-evident. But the following will represent which, in our view, are the main classes of self-evident truths, and what the principle under which we class them as self-evident.

In the first place, it is a self-evident proposition that "the good must be done and evil must be avoided," for every man's will is necessarily fixed upon the good

in general and necessarily repelled by evil as such. We cannot help desiring the good.*

But not only is it self-evident that the good must be done, but it is also self-evident that certain ends or objects or acts are good. For, since goodness *means* the object of appetite (*bonum est appetibile* being our definition of good) it follows that that will be self-evidently good which we *naturally* desire, that when a man is moved by a natural appetite to the pursuit of any particular kind of object, the Practical Reason must, without reasoning of any kind, represent that object as a good. Thus, no man could fail to recognise the goodness of food or of Society, for every man is moved by natural appetite or inclination to food and to Society, and the definition of goodness is "that to which we are moved by appetite." Hence, their goodness is self-evident. This does not mean that the pursuit of these objects under all circumstances is good. For even when we have recognised that certain things are good in themselves, we must still recognise that even such goods must be pursued in a due manner—that is, under laws and conditions that regulate the natural relations of one appetite to another. Thus, every man knows that though eating is good, eating in such a way as to injure oneself is not good. The determination of these laws and conditions may require much reasoning. But, taken in itself, every object to which our appetites naturally incline us must appear to us as good.

These self-evidently good ends may be divided into different classes according to the class of appetite that inclines us towards them. Thus, since in common with every *substance* man possesses a natural appetite for his own continued existence, and since goodness is defined as the object of appetite, it follows that to each man his existence is a self-evident good. In common, too, with all *animals,* man has certain natural appetites, like those

* A proximate and easy deduction from this self-evident truth is that the necessary means to our final end ought to be taken, which, as we saw, is the principle of moral duty.

for food, for racial intercourse, and for the care of offspring,* and, therefore, the goodness of these ends is manifest and self-evident. Other natural appetites are proper to man as a rational being, like the appetite for Society and for knowledge; and hence it is a self-evident truth that Society and advance in knowledge are human goods. We should explain, however, that by Society as end of a natural appetite we do not mean mere living together (for animals also live together), but the amicable intercourse of one person with another, and general interchange of services according to our needs. And since Society, in this sense, is a self-evident good, the law to treat amicably those with whom we live (as Aquinas says, "quod alios non offendat cum quibus debet conversari") and not to injure them, is a self-evident law.†

These are all examples of self-evident moral truths. And being self-evident we do not think it possible that any nation could be without a knowledge of them; for what is self-evident must be known to all. Thus, it is impossible that any nation should fail to recognise that it is a good thing in general to preserve one's own being and that to injure it is evil. (The goodness of preserving our own being *in all particular cases* and circumstances is not self-evident, but is a conclusion of our reasoning.) Also, no nation could regard the care of offspring as bad or indifferent (and if it thinks at all it could not fail to recognise the necessity of marriage, which is a proximate and obvious conclusion from the necessity of the care of offspring). Again, no nation could be ignorant of the goodness of Society and of the necessity of a law of justice for its maintenance. This

* The necessity of marriage in the sense of a stable (not necessarily an indissoluble) union of the sexes is an obvious conclusion from the necessity of the care of offspring. For a fuller treatment of these natural appetites, see chapter on The Good.

† As we explained elsewhere, there are certain ends for which we have natural appetites, and which are therefore self-evidently good, which would also appear to us as good and necessary, even though we had no special appetite for them, since they are necessary means to other ends which are objects of appetite. Thus, even if we had no special appetite for food, we should regard food as good and eating as a duty since it is necessary for life, which naturally we desire.

law of justice arises from the fact that to injure others is wrong, and self-evidently wrong; for, as we have said, the Social life to which we are impelled by natural appetite is not mere living together, but a life of *amicable* intercourse of many persons in one community. And as amicable intercourse and injury are direct opposites it is self-evident that injury within our own communion is evil.*

Our view, then, of the question whether morality is self-evident is that certain fundamental truths are self-evident and intuitive, and known to all, that other proximate and obvious deductions from these, though not technically self-evident, are almost so, for they become evident to anyone who exercises his Reason. These truths are also known to all. The remote conclusions are obtained only after much reasoning, and sometimes only after some experience, and these truths, though perhaps necessary truths, are neither self-evident nor known to all.

This view of the question "which are the self-evident principles of morals" recommends itself to us for many reasons. First, we believe that it is in accordance with sound psychological principles—namely, (*a*) that there

* We speak here of the general law only. The morality of particular cases, especially those in which there is a conflict of appetites, is not necessarily self-evident.

The law against stealing is not a self-evident law but a deduction from the law forbidding injury. Hence some nations have been ignorant of the wrongfulness of stealing, as Aquinas himself testifies.

Again, though the killing of others of the same Society with ourselves is self-evidently wrong, the killing of men of other Societies is not self-evidently wrong, but is a conclusion of our Reason based on the consideration of man's natural end. The necessity of maintaining that Society in which we live is also self-evident. But the question of the extent of Society and of our relations to the members of other social bodies requires reasoning. Hence some savage tribes did not know that it was wrong to kill the members of other tribes. Of this, however, we shall speak later.

The reader should understand that though we claim that certain ends are self-evidently good, and give rise to self-evident laws, still the proper formulation of these laws so as to bring them into harmony with the whole organic system of human appetites is by no means an easy thing, and is a result often of the most advanced reasoning. Thus, though injury is an evident evil considered in itself, the law against homicide is by no means an easy law to formulate. Its formulation is the work of the Scientific Ethician only.

are *certain* natural objects of appetite, (*b*) that the object of a natural appetite is necessarily known to us. Second, it harmonises with experience and with the conclusions of Anthropology concerning the moral beliefs of various nations. There are certain broad general principles that are known to all. This will be proved in the following chapter. Thirdly, it is grounded on the Ethical teachings of Aquinas. For, though Aquinas does not expressly state that the laws which we have given as self-evident, and which we have taken from him, are self-evident in the strict sense of the word, he nevertheless speaks of them as being known to the intellect *naturaliter*,* and also as being known to all men and as incapable of being blotted out of the human heart.

Other Views on Intuitionism

Having now stated our own theory we will take up the modern theories of Intuitionism. To these we will prefix, by way of prefatory note, a short statement of the different senses in which the expression "Intuitive knowledge of Morality" is used by modern writers.

The distinction between "Intuitive knowledge" and other knowledge is based by some on the character of the object of the Intuition, by others on the origin of this Intuitive Knowledge. Thus the phrase "Intuition of Morality" has been used to signify—(1) Knowledge of the Morality of an act through the intrinsic nature of the act without reference to the act's consequences.

* "S. Theol.," I., II., Q. XCIV., Art. 2. "Quia vero bonum habet rationem finis, malum autem rationem contrarii, inde est quod omnia illa ad quae homo habet naturalem inclinationem, ratio *naturaliter* apprehendit ut bona et per consequens ut opere prosequenda, et contraria eorum ut mala et vitanda."

The general meaning of this word *naturaliter* is given in Aquinas' "Commentaries on Aristotle"—Liber IV. Metaphysicorum, Lectio VI., where writing on the conditions of a first speculative principle, he says: "Tertia conditio est ut non acquiratur per demonstrationem vel alio simili modo sed adveniat quasi per naturam habenti ipsum, quasi ut *naturaliter* cognoscatur et non per acquisitionem. Ex ipso enim lumine naturali intellectus agentis prima principa fiunt cognita; nec acquiruntur per ratiocinationem sed solum per hoc quod suorum termini innotescunt."

Here the intuitive character depends on the object. (2) Innate knowledge of morality. (3) *A priori* knowledge of morality. (4) Knowledge of morality obtained without reasoning—that is, without a discursive act of the intellect. This knowledge is called immediate knowledge, and is contrasted with mediate knowledge, which is knowledge obtained by reasoning.

The word "Intuition" is used in the first sense (the knowing of the morality of an act independently of the consequences) by Sidgwick and Rashdall.* "Intuition" is used in the second sense by Paley and Bain, with whom intuitive knowledge means "Innate Knowledge," and the expression "Intuitive Morals" means "Innate Moral Judgments." "Intuition" is used in the third sense by Professor Seth, who applies the term to all *a priori* knowledge—that is, to all knowledge not gained by experience. "Intuition" is used in the fourth sense by Reid and Cumberland, in whose writings "Intuition" is "immediate knowledge" (in which they include knowledge both of sense and intellect). This meaning of "intuition" in the sense of immediate

* The meaning of Intuitionism which we here give as the sense in which the word is used by Sidgwick, is that which it has in the opening pages of his chapter on Intuitionism. But it is not his fundamental definition of "Intuition." This fundamental definition is found in Sidgwick's "Methods," page 211, where, writing on the question whether "Intuition" is always supposed to be true, he says:—"I wish therefore to say expressly that by calling any affirmation as to the rightness or wrongness of acts intuitive . . . . . I only mean that its truth is apparently *known immediately* and not as a result of reasoning." The first definition of "Intuition" (that given as Sidgwick's in the text above) is really, though not professedly, deduced from the second or fundamental definition; but in making the deduction he assumes a proposition which is false namely, that if reasoning were required in determining morality, it could only be required for the determining of consequences.

Rashdall is guilty of precisely the same inconsistency and assumption of what is false. Rashdall's first definition is that given in our text. His second or fundamental definition is gathered from a passage in the first volume of his work on "Theory of Good and Evil" (page 93), where, speaking of certain goods like pleasure, he says:—"The value of these elements in human life is determined by the Practical Reason intuitively, immediately, or (if we like to say so) *a priori*." And in the note to this passage he explains that by *a priori* he means that "the judgment is *immediate*—not obtained by inference or deduction from something else, in the way in which the Utilitarian supposes his judgments to be deductions from rules got by generalisation from experience."

knowledge forms, as the reader has already seen, the chief subject of our present chapter. Most schools mean by "intuitive Morals" the theory that we have an immediate, as opposed to a mediate knowledge of morality—that we know morality without the need of reasoning. We shall, therefore, in the following pages use the word Intuitionism in this sense—namely, to signify the system which professes an immediate knowledge of moral truths (whether these truths be particular or general, and whether the knowledge of them be gained through the senses or the intellect) as opposed to mediate knowledge or knowledge by logical inference from premiss to conclusion.

Of "Intuitionism" in this last sense two forms are distinguished by recent writers on Ethics—the theories of Perceptional Intuition and of Common Sense Intuition. The first is the theory that all men can, by means of direct perception and without reasoning of any kind, pronounce ordinarily on the morality of particular acts at the moment of action. According to this theory there is no necessity for the use of general moral principles of any kind in the making of judgments, since Conscience, it is claimed, is able to perceive whether an act is good or bad in the very same manner as vision perceives that a body is white.

The second theory holds that all men have an intuitive knowledge, not of the morality of particular acts, but of general principles—at least of the simplest general moral principles, such as that the good is to be done, and that, in general, murder, stealing, and lying are bad and ought to be avoided. These two theories we shall have to consider separately.

The theory of Perceptive Intuition is held by Mansell and McCosh, and apparently also by Martineau and Hutcheson. "Whatever," writes McCosh ("Intuitions of the Mind," pages 31-32), "be their distinctive nature, they always, as Intuitions, primarily contemplate objects as individual. . . . The child has not formed to itself a refined idea of moral good, but contemplating a given action it proclaims it to be good or bad." Again, "the Conscience is of the nature of a

cognitive power. It is analogous . . . to . . . sense. . . . It reveals to us certain qualities of objects . . . it lets us know of certain voluntary states of ourselves or others that they are good or evil" (page 286).

And Mansell writes—"That this particular act of my own at the moment of being committed is wrong is a fact presented immediately by the judgment of Conscience. That all acts of the same kind, whensoever or by whomsoever committed, are necessarily wrong is a judgment formed by the Reason. . . . The former as the presentative condition of moral thought must be allowed to possess that chronological priority which in other cases is admitted to exist in individual facts" ("Metaphysics," page 164). Mansell also claims that the immediate intuition of moral quality is confined to our own acts, that it does not extend to the acts of others. "The intuitive perception of moral qualities cannot extend beyond our own actions, in which alone we are directly conscious of the law of obligation, and of a voluntary obedience or disobedience to it" (page 168).

Amongst the doubtful upholders of this theory are Martineau and Hutcheson. Martineau seems to maintain it in many passages of his "Types of Ethical Theory"—for instance, where he writes (page 456):—"Here" (that is in the Moral Sphere) "the development of our knowledge is not downwards from the ideal essences to the individuals taken one by one, but upwards from simple cases of alternative to the full content of Right, inverting Cudworth's rule—that knowledge doth not begin in individuals but ends in them." And Martineau himself seems to class Hutcheson with the Perceptional Intuitionists when he describes Hutcheson's idea of goodness as a "perceptible quality read off at sight in the conduct of others" ("Types" II., page 54).

Of German writers the most pronounced upholder of Perceptional Intuitionism is Herbart. See Jodl, "Geschichte der Ethik," II., 205.

Most intuitionists, however, are to be classed as *Common Sense Intuitionists*. They maintain that we know immediately not the morality of the particular act, as, for instance, that this murder in these particular circumstances is bad, but that murder in general is bad. Even the upholders of the Moral Sense theory whom we should naturally expect to uphold Perceptional Intuitionism are, perhaps, with the doubtful exception of Hutcheson and very few others, all Common Sense Intuitionists. Thus, Reid expressly declares that we have an intuitive knowledge of the general principles, and that our knowledge of the morality of individual acts is a result of reasoning. Locke seems also to hold the theory

of Common Sense Intuitionism as far as Morality depends on Divine Law. The Divine rules, he tells us, whereby we measure sin and duty, are known either by revelation or by the light of nature, and we take it that in the latter case he means "by Intuition." The civil laws and public sanctions he also regards as laws of morality, but the Divine Law he calls the "only true touchstone of moral rectitude" ("Essay," Book II., c. 28, sec. 8). But though Locke acknowledges Divine laws of morality, he still regards the good and evil of acts as consisting in the pleasure and pain that follow in actions as a result of laws prescribing or forbidding them. Unlike Locke, most intuitionists regard good and evil as an inherent and original quality of acts independent of the pleasurable and painful consequences of acts. Naturally, we should say, if morality depends on pleasurable or painful consequences, the knowledge of morality can only be given in reasoning.

(*b*) Perceptional Intuitionism—Criticism

(1) In many of our individual acts *there are many moral circumstances*, and each of these circumstances considered morally bears a special relation to the ultimate end, and these relations need to be compared and examined before we can know the true morality of the individual act. This comparison and examination requires reasoning, and hence the morality of *all* particular actions cannot be known immediately and intuitively.

(2) Our knowledge of the morality of all particular acts cannot be intuitive because *we know from experience* that in determining the morality of many of our acts we must use our Reason. In doubt or ignorance men look to others for instruction, and ask for reasons as a necessary means to making up their minds as to their duty in a particular case. Indeed, in most of our actions it would seem that some reasoning is necessary, and hence we conclude that normally our knowledge of morality is due not to intuition but to inference.

(3) *Things known by intuition are easily knowable.* The axioms of Euclid are known without difficulty. Colour is also easily knowable. There is no axiom that cannot be seen to be true if it is properly stated, and no

colour that cannot be perceived if the conditions are suitable. So, also, if the morality of all particular acts be known by intuition, the morals of all acts must, if the circumstances of the act are fully stated, be easily accessible to knowledge. But that this is not the case will readily be conceded. There are acts of which, however closely they be examined, we are incapable of deciding the moral quality; and our inability to determine the moral quality of these acts remains even though every part and circumstance of the act is known to us, and even though the conditions of observation are perfect. Let a colour be suitably observed and we must discover its quality. But there are moral cases which still remain unsolved although there is no difficulty in observing the individual facts of the case.

Hence, the morality of particular acts is not easily knowable, and, therefore, we conclude that our knowledge of their morality is not intuitive.

(4) *Where intuitions depend on cognitive faculties, like sense or intellect, there can be no difference of opinion concerning these intuitions.** The evident truth of this statement will appear from examples. To take the instances of colour and the axioms of Euclid (our knowledge of both of which is admittedly intuitive), all men under suitable conditions and with normal faculties of sense (in the case of colour) and intellect (in the case of Euclid) will be in agreement about a colour or an axiom which is presented to them. The same should hold for the morality of all particular acts if their morality be always known by intuition. Now, it is obvious that men are not in agreement about all moral questions. Men hold the most widely divergent views on the morality of certain acts *even though they* understand the full circumstances of these acts. Hence, we conclude again, the morality of all particular acts is not known by intuition.

To this last argument of ours Intuitionists may offer

* We suppose a case in which the object is presented in equal clearness and detail to all men.

two replies, neither of which we can regard as satisfactory.*

(I.) The first reply is that differences of opinion on moral matters may be due to a certain moral colour-blindness analogous to that which occurs in the sphere of vision; for we know that there is such a thing as colour-blindness, that what one man sees green another man sees red, and nevertheless vision is intuitive; and if vision is intuitive in spite of differences of opinion about certain colours moral judgments may also be intuitive in spite of differences of opinion.

Of this reply our criticism is as follows:—If a man is colour-blind, say, to red, *he can never see red in anything*. If he sees it in even one object he cannot be colour-blind to that colour. But there is no man blind to morality in such a manner that he is always unable to perceive morality—at least the morality of some acts. Therefore, no man is colour-blind to good and evil.† If, therefore, there are moral cases on which Ethicians hold different opinions this cannot be due to anything analogous to colour-blindness ‡ in the world of vision. Our argument, therefore, still holds good—the morality of all particular acts cannot be known by intuition since men differ in their judgments about certain moral cases.

(II.) The second reply of the Intuitionists to our argument regarding differences of opinion on moral questions is that the perception of *beauty* is intuitive, and yet men differ in their opinions about beauty.

Our reply is that, however intuitive the perception of beauty may be, the differences of men's views regarding beauty are not analogous to differences on moral questions.

For the differences regarding beauty are due either to—

(*a*) *Temperament*, on which æsthetic pleasure largely

* Martineau's reply to this difficulty we hold over to the last section of this chapter.

† Goodness and badness being the only two "colours" (the reader will understand the analogy) in the world of morality.

‡ We admit, however, that concerning the remote conclusions, sin may induce an *incapacity* for seeing morality.

depends (this æsthetic pleasure being the criterion of beauty), and not to a *purely cognitive* act like that of sense or intellect; or

(β) To the *varying degree* in which a beautiful object is understood by the beholder.* A fine picture may contain many things discernible only to the skilful judge. But our claim is that where an object is presented in equal clearness and detail to all, intuitions must be all in agreement concerning that object.

Variation of opinion regarding beauty is, therefore, consistent with Intuition.

But the perception of morality is (α) not due to temperament but to a *cognitive* † faculty. The morality of an act is its relation to the final end, and this relation is understood by the cognitive faculty of intellect only. Again, (β) differences regarding the morality of individual acts remain in some cases even amongst those persons before whom the facts of the case have been laid in the fullest manner and who understand these facts completely.

Differences of view, therefore, in the case of intuitive perception of beauty are not parallel with those about morality, and afford no argument to prove that the perception of morality is self-evident or intuitive.

But we make a false assumption if we suppose, as some Intuitionists do, that æsthetic perception is always a question of Intuition merely. For the perception of beauty sometimes follows as a result of reasoning ‡ from premisses, and in holding these premisses there may be considerable latitude for differences of opinion. In every art there are different æsthetic schools with different principles, and even the premisses from which these

* Perhaps, also, to the want of a definition of what beauty is in itself. We can only define beauty in its effect, *quod visum placet*. The good, on the other hand, can be defined exactly in itself.

† And our thesis is that "where intuition depends on cognitive faculties," &c.

‡ We say here "*follows* as a result of reasoning." We do not say that the perception of beauty *is* itself an act of reasoning. The perception of beauty always takes place in the act of beholding the object—that is, in the "contemplation" of it—but it may follow in that act as a result of previous reasoning.

schools argue may not be themselves intuitions, but may be the conclusions drawn from previous reasoning. The views of a cultured man on æsthetics are generally the product of much thought and study and reasoning—things which strongly influence both temperament and knowledge, and are, therefore, the cause of many of the differences which exist among persons who perceive beauty. Differences, then, in our æsthetic perceptions and in the feelings of pleasure with which we contemplate objects of art may be due to reasoning, and so far they rather strengthen than weaken our argument that, where there are differences of view, these views must be the result of reasoning and not of intuition.

These four arguments contain the substance of our case against Perceptional Intuitionism.

(*c*) Common Sense Intuitionism

A more widely accepted doctrine than that of Perceptional Intuitionism is the system of Common Sense Intuitionism which we have defined as the theory that at least the broad general principles of morals (for instance, such principles as that "taking other people's property," homicide, and lying are bad, and their opposites good) are known to us immediately without the necessity of reasoning.

Now, we have already shown that certain principles known as primary principles are self-evident or intuitively known; and hence it would seem at first sight as if there could be no essential difference between our theory and that which we are now about to criticise under the name of Common Sense Intuitionism. But there is this difference between the Common Sense Intuitionists' theory and ours, that whereas, according to the Common Sense Intuitionists, *all* general moral principles are self-evident, we maintain, on the other hand, that some general moral principles are not self-evident, but are obtained through reasoning, and that even of those principles which are necessarily known to all some are not

intuitions in the strict sense of the word—that is, they are not technically self-evident since they require some reasoning.

The school of Common Sense Intuitionists, we say, holds that *all* general moral principles are self-evident. But we must admit that in the writings of this school the expression "general moral principle" is ill-defined. In a certain sense any moral proposition may be regarded as a general principle—for instance, the proposition that "it is unlawful for any man to give his money to the poor when his own children require it" is a general proposition; yet it is very special and limited in its application, and we do not find Intuitionists claiming that such concrete propositions as these are intuitive. By general propositions, therefore, they seem rather to mean *very* general propositions, principles of very broad application and simple in their character and in the meaning of their terms.

But, then, what are these very general principles? Here, again, the Common Sense Intuitionists fail us.* They do not tell us what those principles are, nor do they give us any principle by which to determine them for ourselves.

The least, however, that we think could be claimed in any theory of pure and unmodified Common Sense Intuitionism is that all those very general moral principles are self-evident which are known to the ordinary man and are accepted by him as manifestly true—for instance, that lying, stealing, homicide, immorality, want of benevolence are bad and to be avoided—and it is

* We find very great difficulty in deciding whether Sidgwick and Prof. Rashdall should be counted amongst Common Sense Intuitionists. Sidgwick and Prof. Rashdall seem to accept only three axioms as intuitive—namely, those of *Prudence* (I ought promote my own good on the whole); of *Benevolence* (I ought to regard the good of Society as of more value than that of the individual), or, as Sidgwick puts it, (I ought to aim at good generally, and not at any particular part of it); of *Equity* (one man's good is, other things being equal, as good as another man's). If this system is one of Common Sense Intuitionism it is a very modified form of that theory, and we do not think that a minute examination of its merits is necessary after the criticisms we have given of other forms of Intuitionism.

in this sense that we propose to criticise the theory of Common Sense Intuitionism.

Of this theory our criticism is:—

(1) A principle may be general and known to all and yet not be self-evident in the strict sense. Intuitionists should at least make the distinction which we have made between truths that are strictly self-evident and those that are self-evident in a loose sense only.

(2) Some of the ordinarily admitted moral principles are not only not self-evident, but they do not even belong to the strict natural law, and they even require experience for their perception. Thus the ordinary man believes that there is a right of stable private property, and on this right his conception of the wrongness of stealing mainly depends. Now, such a right really exists. But it depends not on the strict natural law, but on the *jus gentium*—a class of law which is made up of a strict necessary law of nature and a contingent but universal fact, which only experience can make known to us. Hence, this right is not self-evident, and the laws of justice that depend upon it are not self-evident.

(3) Some of those principles which are *ordinarily* accepted by men are not only not self-evident in the strict sense of the term, as we have already pointed out, but are not to be regarded as self-evident in any sense since they were quite unknown to certain degraded races, and consequently they must require reasoning for their perception. Thus, Aquinas testifies that "some peoples did not know it was wrong to steal and even to commit (certain) unnatural crimes," * a state of things which he regards as due to the corrupt lives of these people. Yet Common Sense Intuitionists will generally be found to regard the wrongfulness of stealing as self-evident.

(4) Many of these ordinarily accepted principles admit of proof, as the Ethician knows, and, therefore, the presumption is that though at present they are apparently accepted without proof, they were originally made known

* "S. Theol.," I., II., Q. XCIV., Art. 6.

through reasoning, without which it is possible that they would never have come into human consciousness.

For these reasons we claim that whilst some of the ordinarily accepted moral principles are intuitive others are not, but are the result of reasoning, and consequently the theory of pure Common Sense Intuitionism, of which the least claim must consistently be that the ordinarily accepted moral beliefs are intuitive, is false and unfounded.

Further examination of this theory is unnecessary. As we said, there are some principles which must be regarded as self-evident, and hence the fundamental defect of Common Sense Intuitionism is that it has not determined the principles that are to be regarded as self-evident in a scientific manner, for it simply regards as self-evident any principles which it sees to be admitted by the ordinary man, and hence it has erred in its enumeration of these principles.

We now proceed to discuss some special forms of Intuitionism—namely, the theories of "Æsthetic Morals" and of "the Moral Impulses."

(*d*) On Æsthetic Morals

The name "Æsthetic Morals" has been given to many and widely different theories. The simple definition given below from ourselves—viz., the theory which identifies beauty with goodness—represents the only form of the theory that interests us here.

Martineau defines Æsthetic Ethics as the theory which blends in thought two separate aspects of the good, "one identifying right with benevolent affection, the other with 'Charien' and 'Kalon' with what is charming and lovely in temper and affection." This definition will be noticed by us only in so far as it coincides with our own definition.

Amongst German æsthetic theories of Morals the most prominent are those of Schiller and Herbart.

Schiller's Ethical views are the direct opposite of those of Kant. According to Kant, that act alone is morally good which is prompted by Reason alone—which excludes sense-motivation. Schiller's view of moral goodness, instead of excluding "sense" and "nature," rather emphasises their importance. The moral good consists, according to Schiller,

rather in the reconciliation of Reason with sense than in the suppression of sense. Now, sense and Reason stand very far apart, and would, according to Schiller, be incapable of reconciliation unless through some mediating condition of soul, which is at once a sensuous and a rational condition, which allows to the senses a real but yet a temperate influence in human action, and this condition of soul is given in æsthetic feeling. This condition of "the beautiful soul" (*die schöne Seele*) is also the condition of moral excellence since in it are harmonised the claims of sense and Reason.

Herbart's theory is known as Æsthetic Formalism, and is as follows :—The judgment of moral approbation and blame, which some acts excite, is an intuitive judgment. The existence of such judgments is a matter of fact and of experience which there is no denying, and on this fact is built our whole moral existence. These judgments are all judgments of taste, analogous to the judgments of taste which we pass on Music. They concern certain will-relations, which, in consequence of the taste-judgments which these relations excite, we call "Morally good and evil." Taste is an irreducible fact of our psychical constitution. "Taste in Herbart's sense," writes Jodl ("Geschichte der Ethik," Vol. II., page 203), "is an important original fact of our soul-life ; the psychical mechanism requires that wherever there is a complete apprehension of relations containing a number of homogeneous elements mutually modifying and interfusing with one another (a judgment of) praise or blame necessarily arises in the apprehending subject." Such judgments are, as we have said, excited in the case of certain will-relations, and it is the purpose of Ethics to discover the particular will-relations which give us æsthetic satisfaction and those that excite the opposite. But since the sensibility of our æsthetic nature is a subjective matter and not objective, it follows that Ethics deals not with objective reality but with value-judgments, and consequently that Ethics is not a branch of Metaphysics. The "Good" also is not a positive reality. It is a property of our æsthetic appreciation (*Werthschätzung*). It is also quite distinct from pleasure as moral evil is from pain.

The simple relations which excite in us æsthetic pleasures Herbart calls "ideas." These we need not enumerate here.

Now, these æsthetic theories of Schiller and Herbart lie for the most part outside the discussion which we are about to raise, and we mention them here simply because they represent forms of Æsthetic Morals. The particular theory which we are about to examine is rather

that which is to be found in the writings of British Moralists, particularly Shaftesbury and Hutcheson—the theory, namely, that moral good is a particular species of beauty and moral evil a particular form of ugliness, and that as beauty and ugliness are perceived intuitively so also Morals are perceived intuitively—that is, without reasoning.

Whether this theory is consistently adhered to in the writings of Shaftesbury and Hutcheson is a debated question with Commentators. We believe, however, that their works supply us with sufficient ground for classifying them as Æsthetic Moralists.

"There is no real good," writes Shaftesbury,* "besides the enjoyment of beauty." And again—"What is beautiful is harmonious and proportionable, what is harmonious and proportionable is true, and what is at once beautiful and true is of consequence agreeable and good."†

Hutcheson, also, is usually regarded ‡ as belonging to this school, since he speaks indifferently of beauty and goodness—that is, uses them as interchangeable terms.

"But," he writes, "to regulate the highest powers of our nature—our affections and deliberate designs of action in important affairs there is implanted in us by nature the noblest and most divine of all senses—that conscience by which we discern what is graceful, becoming, beautiful and honourable, in the affections of the soul, in our conduct of life, our words,

* "Moralists," II., page 422.

† "Miscellaneous Reflections," III., page 183. Martineau considers that though there are sentences in Shaftesbury that are open to the construction of Moral Æstheticism, the more exact statements of his doctrine do not admit of this construction. He even says that, "taking the writings of our Author as a whole we cannot justly affirm that he merges the *agathon* in the *kalon*, but the increasing tendency in his later essays to accentuate the æsthetic aspect of morals is very observable." The presence of those contradictory statements to which Martineau calls attention, and which seem to be characteristic of all Intuitionist writings, is sufficient reason for warning the reader that in criticising the Intuitionist theories we criticise *types* of Intuitionism rather than forms actually and persistently maintained by Intuitionist writers.

‡ For instance, by Martineau, who says ("Types of Ethical Theory," II., 543)—"I am afraid that, in spite of some contrary appearances, we must treat Hutcheson's doctrine on this side as one of moral æsthetics only, which essentially reduces perfect character

our actions. . . . What is approved by this sense we count right and beautiful, and call it virtue; what is condemned we call base and deformed and vicious" ("On Human Nature," I., page 18).

Now, this theory that goodness is only a species of beauty is evidently a theory of Intuitionism. For beauty, as we shall see later, is perceived not by reasoning, but immediately and directly by intuition, and hence it will be necessary to show that beauty is not identical with goodness.

Criticism—In a certain sense the moral good is always beautiful, and we often speak of the moral good and the beautiful as if they were the same thing. Thus, we speak of a man's action as abominable or horrible when we mean that it is bad, and of a life as beautiful when we mean that it is good. How far these things may be said with truth we shall see later when we have compared the two conceptions—beauty and moral goodness.

But now, however close may be the connection between these two conceptions—beauty and goodness—they are not the same. For—

(1) In the first place, they appertain to wholly distinct faculties in man. Beauty, as Aquinas points out, appertains to the knowing faculty (*vis cognoscitiva*),* goodness to the appetitive faculty. A thing is called beautiful

simply to a work of high art." And again, in assigning reasons for counting Hutcheson's theory one of Moral Æsthetics—"He (Hutcheson) speaks of the moral beauty or deformity of actions as synonymous with their rightness or wrongness as in the propositions—'we have a sense of goodness and moral beauty in actions distinct from advantage.'" He quotes other passages in which Hutcheson seems to distinguish the Moral Sense and the Sense of Beauty, but it is Martineau's view that the differences drawn by Hutcheson here are not so much differences in the faculties themselves as in the pleasures attached to them.

It should be noticed, however, that British æsthetic moralists, besides identifying beauty with goodness, also give to their theory a Utilitarian colour, inasmuch as they also identify what is beautiful and good with benevolent action. In Hutcheson's writings, indeed, this second element is the more prominent and the principal element. Benevolence is, according to Hutcheson, the object of the Moral Sense, the only thing appreciated by the Moral Sense.

* "S. Theol." I., Q. V., Art. 4, *ad primam.* Aquinas' theory here needs supplementing. Beauty appertains to the *knowing* faculties—to the intellectual and the sensuous knowing faculty. Its perception is

because the *contemplation* * of it pleases us (*quae visa placent*)—a thing is called good because it is an end the *attainment* or *possession* of which pleases and satisfies an appetite (*quae appetitum quietant*); and it is morally good when it leads to the satisfaction of our appetite for our last end. Hence, beauty and moral goodness, since they appertain to different faculties, are not the same.

(2) Beauty and moral goodness both depend on, and are founded on, something within the object, but whereas beauty is a quality of the object regarded in itself, moral goodness is a relation to a certain extrinsic end—the *ultimus finis*. In the words of Aquinas—"Pulchrum et bonum in subjecto sunt idem quia supra eandem rem fundantur, scil, supra formam (*i.e.*, naturam). . . . Sed . . . dum bonum habet rationem finis, pulchrum pertinet ad rationem causae formalis" ("Summa Theologica," I., Q. V., Art, 4, *ad primam*).

Therefore, we repeat here what we have already said when discussing the general theories of Perceptional and Common Sense Intuitionism—we cannot know that an act is morally good by merely considering the act in itself without relation to anything else. We must determine the moral goodness of an act by considering its relation to the ultimate end (*Summum Bonum*). On the contrary, we perceive the beauty of an object by considering the

possible to intellectual beings only, but, granted the presence of intellect, then sense and imagination can share in that perception, and share also in the æsthetic pleasure. A truly beautiful object must please every faculty engaged in the contemplation of it. Thus in the case of music the tone must satisfy the ear, whilst the melody must satisfy the ear, the imagination, and the intellect. In a picture the colouring must please the eye, the imagination must be satisfied with the form or outline of figures, and the intellect with the unity of the whole presentation. In so far as any one of these faculties is offended, the object loses in beauty. As perceivable both by sense and by intellect, beauty thus appeals to our whole cognitive nature. Any theory that would confine the knowledge of beauty to sense on the one hand or to intellect on the other is one-sided and erroneous.

* With this doctrine stated in our text it may be interesting to compare Kant's definition of beauty, which, with some qualifications, is the same as that of Aquinas—beauty is the object of a satisfaction that is wholly disinterested. A disinterested satisfaction is the same thing as the satisfaction of contemplation.

object in itself, in its form, and without relation to anything else. And for this reason it is possible to perceive the moral goodness of an act in reasoning, whereas the perception of beauty is, as we know also from experience, an act not of reasoning but of contemplation, although it may sometimes require reasoning as a necessary antecedent. Hence, also, it is possible to *prove* that a certain action is good or evil to one who does not already know its moral character. But we could not prove that any object is beautiful, any more than we could prove that a thing is red or sweet. This, also, is evident to each man from experience.

Beauty and goodness are, therefore, not the same. But, as we said in the beginning of this section, there is a sense in which the morally good is always beautiful—namely, that all harmony is beautiful; and a good act harmonises, first, with the nature of the agent, and, secondly, with the scheme of the universe, since all things are meant to tend to the ultimate end, whereas a bad act at once violates the nature of the agent, and contradicts the plan of the Universe in not tending to the ultimate end.*

Moral Impulse Theory.

Martineau's theory of Moral Impulses is to be reckoned among the most prominent of recent Intuitionist Ethical theories. It is the theory that in man there is a scale of inner principles, or springs, or impulses towards certain forms of activity; that these impulses can be arranged into a scale of morally higher and lower, and that according to its place in this scale each impulse possesses a "moral worth," not in itself, but in its relation to other impulses above or below it; that the moral judgment pronounces exclusively on the moral

* In discussing the theory of Æsthetic Morals we have avoided all reference to certain highly metaphysical theories of modern writers on the relation of the "good" to the "beautiful:" for instance, the theory developed by some modern disciples of Schelling that the "beautiful" and the "good" are identified in the conception of the "absolute," which, according to these writers, is not only an object of intellect, but is also known to us by imaginative and sensuous apprehension. We do not think that the discussion of such theories is calculated to throw much light on the problem of the relation of the "good" to the "beautiful." An excellent account of these theories can be found in M. Fouillée's "Critique des Systémes de Morale Contemporaine."

gradations of this scale ("our moral judgments are all preferential"), the rule of morals being that "every action is right which in the presence of a lower principle follows a higher, and every action is wrong which in the presence of a higher principle follows a lower," that these differences of higher and lower are made known to us intuitively by Conscience, which is defined "the sensibility of our mind to the gradations of the scale" or the "critical perception we have of the relative authority of our several principles of action." This power of Conscience is, according to Martineau, not developed to the same extent in all men, for the "extending range of intuitive perception of relative worth" is not the same in all. One man is alive to only a certain portion of the scale of impulses, another to a more extended portion, a fact which, according to Martineau, fully explains the apparent differences in men's moral judgments. For the moral judgments of different men are never really opposed to one another, since when one man says that a particular act is right and another that it is wrong, they are speaking of very different things—that is, they are estimating the value of a certain spring of action relatively to different portions of the Moral scale. If goodness consists in choosing the higher in preference to the lower, and badness in the opposite course, then the following of a particular impulse may be good if our comparison of that impulse be with others lower still, bad if our comparison be with higher impulses. Hence the apparent differences of judgments. Our moral judgments, according to Martineau, never really contradict one another. "However limited the range of our moral consciousness it would lead us all to the same verdicts, had we all the same segment of the series under our cognisance." Only he who is alive to all the impulses is capable of a perfect moral judgment. "The whole scale of inner impulses is open to survey only to the ripest mind, and to be perfect in its appreciation is to have exhausted the permutations of human experience."

This rough sketch of Martineau's theory may, for our present purposes, be reduced to the single proposition that the relative moral value of the inner impulses, the gradation of which constitutes the subject-matter of all moral Judgments, is known intuitively to our consciences.*

* According to Martineau, although Conscience judges only of the moral value of the springs of action without reference to the consequences of action, still there is room for the computation of pleasures and pains in two ways. "First, the computation is already more or

Criticism—(1) The first point of our criticism is that this theory is open to all the objections we have brought against the extreme forms of Intuition. Thus, if all moral judgment is an estimate of the relative value of our inner impulses, and if this relative value is known to us intuitively, it is difficult to see how we could ever feel the necessity (a necessity which we know from experience that we do feel) of reasoning and argument in coming to our moral decisions, or why we should sometimes fail to come to any decision in regard to some particular moral questions. Again, if our moral judgments concerning the springs of action are intuitive, why should men's judgments differ? Martineau's reply—that our judgments never really differ—is, to our mind, sheer nonsense. Take the case of the judgments of two men—one that it is lawful to tell a lie to save one's own life, the other that it is not lawful to tell a lie even to save one's own life. Between these Judgments there is a genuine difference of view, and they really contradict each other. Yet, may not that difference of view remain even though the two men be conscious of equal portions of or even of the whole of the scale of impulses? Or may not two men, each of whom has a perfect idea of the relative value of Selfishness and Benevolence and the other impulses, still differ in their views as to whether a person is bound to restitution for the burning of one man's house by mistake when the burning of another man's house was actually intended—a question which is actually debated amongst moralists and on which opinions are divided. We think that Martineau has no ground for his view—a view which he states, but does not attempt to prove, that if all men took cognisance of the same portion of the scale

less involved in the preference of this or that spring of action, for in proportion as the springs of action are self-conscious they contemplate their own effects, and judgment upon them is included in our judgment of the disposition. Secondly, when the principle of action has been selected to the exclusion of all competitors; because, under the given external conditions the very same principle may express and satisfy itself in various methods. . . . . The choice of means by which to carry out the workings of a spring of conduct can be made only by consideration of consequences."

of impulses there would be no room for differences in our moral opinions.

(2) This theory of Moral Impulses does not explain the moral character of all our acts, for, according to this theory, badness and goodness could not attach to the exercise of a single impulse without reference to others, but arise only when one impulse is preferred to another which lies higher or lower in the scale than itself. Now, we maintain that, whether the impulse involved in the speaking of the *truth**—to take this single example—be higher or lower than other impulses, the telling of a lie is a bad act, and its badness is not constituted by any relation to other impulses, it is bad because a lie violates the natural end of the faculty of speech. Many other unnatural crimes consist, as we saw in our chapter on the Moral Criterion, like lying, in the use of a single faculty or impulse in such a way as to avoid the realisation of its natural end. These cases are not covered by the theory that badness and goodness depend upon an *order* of impulses.

(3) Again, the difficulty might be raised how the theory of Impulses is to decide where, in the scale of Impulses, any particular impulse stands; where, for instance, the impulses of Justice and Benevolence stand in relation to one another; whether Benevolence is higher, and whether, as a consequence, it is lawful to steal from a rich man in order to help the poor—the motive in the case being that of Benevolence and the comparison being one of Benevolence and Justice. We submit that no rule of preference between these impulses could be given on Martineau's theory; † and even if it could be given the question of the preferability of certain impulses to certain

* Of the impulses concerned with Veracity, Martineau speaks very hesitatingly. He does not seem to contemplate an impulse to veracity itself.

† In our own theory of the good, as the reader will remember, we make comparison of some faculties reckoning one higher than another. Intellect, for instance, we regard as higher than sense. This question of the relative order of the faculties is necessary in our system for the solution of a few questions only, like that of the immorality of drunkenness. In Martineau's system the order of the impulses is made the universal test. As such it fails.

others could not enter into our decision. For injustice is bad whether it be done from a motive of benevolence or not, or whether the impulse of justice stands lower or higher in the scale than that of benevolence. This theory, therefore, cannot account for the morality of all our acts. And hence it is not the ultimate account of moral good and evil.

(4) We submit that this theory makes unreasonable demands on human nature in expecting every man always to choose a higher impulse in presence of a lower. If it is wrong to follow a lower impulse in presence of a higher, we do not know on what principle a man could lawfully smoke cigars and drink brandy after dinner when by refraining from these things he could afford to give more money to the poor. Yet we believe that Common Sense and Reason would recognise no obligation, generally speaking, to give up these luxuries.

(5) Finally, there is the difficulty of discerning not, as in a former difficulty, the order of the impulses, but *what are* the impulses concerned in any particular act, and of deducing from these the moral value of conduct. This difficulty Martineau makes light of, saying that though it will be fatal to his doctrine if the difficulty cannot be answered, yet it really can be answered, or rather the difficulty does not really exist for the Ethician. The main point of the difficulty, according to Martineau, is that, in some cases, the impulse to action is complex- and it is difficult to analyse the complex motive into its several components. But, then, according to Martineau, it is not necessary to analyse the complex motive into its components, for we can know the value of a complex impulse relatively to other impulses without analysing it into its components. Hence, the difficulty of analysing the components does not exist for the Ethician. All the difficulties charged upon the composition of Motives appear to him (Martineau) as a mere "nightmare of unreal psychology."

Now, we do not agree with Martineau that this difficulty is fanciful and unreal, or that it all turns on the

question whether it is necessary to analyse our complex motives in forming a moral judgment. We believe that even the trained psychologist and, *a fortiori,* the ordinary man would find it exceedingly difficult to know what impulse, complex or simple, urges him to the doing of any particular act. A man can easily know the end * that he wishes to gain in any act, and consequently, if he knows that all his ends are good, he knows also that his act is good. But the inner impulses that urge us to a particular end are generally unknown to us, and for the most part they do not enter into our consciousness in any way. Consequently, if the morality of the end sought or of the act of seeking those ends is to be determined by our judgment as to the relative value of inner impulses, the moral judgment would be for the most part impossible.

But it may be said that it is not necessary for us to bring these impulses directly into consciousness, that we can judge of the value of the impulses prompting us to an act from the value of the acts which these impulses give rise to. But such an admission would mean the giving up of the Moral Impulse theory (which supposes that our preferential judgment of the value of the impulses is first, and that this judgment is the criterion whereby we value acts), and it would mean substituting for the Moral Impulse theory the crudest of all Intuitionist systems—namely, the theory of Perceptional Intuitionism—that the human mind reads off the moral goodness of each particular act as it comes before us, and from that determines the value of the impulses involved in the act.

For these reasons we reject the Intuitive theory of the Moral Impulses.

* We speak here as if our impulses were different from our mere natural desires for certain ends. If in Martineau's theory these two are the same, then there is nothing distinctive about his theory. It is pure Aristotelianism, which makes all morality depend on "ends." If the two are distinct, the above criticism holds.

CHAPTER XVI

ON SYNDERESIS

SYNDERESIS is the name given to the group of primary moral principles which belong naturally to the human mind. The Scholastics define it "habitus primorum principiorum." St. Damascene calls it a "naturale judicatorium."

Now, when we say that certain principles are natural we do not mean that they are innate, but only that without reasoning the mind comes quickly and easily to acquire them, and cannot help doing so. What these principles are we have already seen in our chapter on Intuitionism. Of these principles some we saw are intuitions in the strict sense—that is, the mind assents to them at once without reasoning. Certain other principles are, practically speaking, intuitions. For, though technically they are inferences and not intuitions, still so easily are they acquired and so necessarily, that they may be and are generally regarded as self-evident truths. The number of these primary self-evident principles it would be difficult to state, and the exact formula of each it would not be easy to determine. But we can say with certainty that all grown people who are capable of thinking at all believe in the goodness of honesty, and bravery, and kindness, and filial pity, and the care for offspring, and marriage, and in the evil of indiscriminate murder, &c. It is true, indeed, that many peoples did not regard virtues like honesty and piety as so strictly binding that they could not be set aside under certain exceptional circumstances.

But Reason must recognise the *general* necessity of cultivating these virtues, and it is for moralists and those who are capable of judging of such things to say whether to any particular law there may in reality be an exception. In other words, it is for the moralist to determine scientifically the formula that will express the law truly and exactly. These self-evident moral principles constitute what Moralists speak of as Synderesis,* about which many interesting questions arise, some of which will be considered in the present chapter.

From the self-evident principles, taken in their strictest sense, it is possible, as we said, to derive certain proximate simple conclusions which all men must know. Other conclusions are not so evident, and to bring home their truth with unmistakable clearness to the ordinary mind we have to reason them out step after step, as we would a difficult proposition in geometry. These propositions are called remote conclusions. Though they are quite as true as the proximate, they are not, as we said, so evident, and consequently it is possible for minds to lose the consciousness of them or even never to come to a knowledge of them. But neither the first principles themselves nor the proximate and immediate conclusions from them can ever be lost to consciousness.

* Various attempts have been made by modern Ethicians to reduce all moral principles to a single principle inclusive of all the others. The more important amongst these principles may be divided into the following six classes, according as they are founded:—(1) On the conception of individual pleasure; (2) on the idea of individual liberty; (3) on the relation of the inner impulses to man; (4) on the idea of life; (5) on the idea of the common good; (6) on the idea of personality, whether individual or general.

(1) Under the first we have the principle of HOBBES—that the "good" is that which each man desires. This principle we have criticised in our chapter on The Good. (2) Under the second we have FICHTE'S principle, "Be free," COUSIN'S "Ens liberum maneat liberum," and similar principles of the Transcendental School, an examination of which will be found in the latter part of our chapter on Liberty, where it is shown that Liberty is not morality but only its pre-condition. (3) Under the third we have the principle "Never to choose a lower in the presence of a higher pleasure." This principle is examined in our chapter on Intuitionism. (4) Under the fourth we have the innumerable principles of Biological Ethics—*e.g.*, THOMASIUS' principle, "Do that which will make life long and happy"; LESLIE STEPHEN'S two principles, "Be prudent" and "Be virtuous," both ultimately grounded on the idea of life. Also SPENCER'S, "Seek the maximum of life," for which see

We now proceed to discuss two important questions on the primary Moral principles. The first—What is the origin of our general moral beliefs? or—How do we come as children to the understanding of general moral principles? The second is—Can belief in the moral principles decay, or, as it is usually put, can Conscience develop and decay?

(*a*) *On the origin of a child's moral beliefs.*

The expression "origin of our Moral beliefs" may mean either the logical *grounds on which educated men* maintain their beliefs; or the *original sources* whence *in past ages* men received their moral ideas; or, finally, it may mean the actual *beginnings of these beliefs* in the *child's mind* to-day. It is this last question that we are now to occupy ourselves with. What, we ask, is the source of a child's moral ideas? Do they come through the exercise of his own Reason without help from outside? Or are they gained by a process of reasoning helped on by instruction? Or are they wholly from tradition? *

At the outset we wish the reader to understand that this is mainly an historical question. We have nothing at present to do with the philosophy of duty or of the good—*i.e.*, with the question of the objective foundation

chapter on Biological Evolution. (5) Under the fifth we have the several principles of Sociology—*v.g.*, "Seek the greatest good of society" (MILL), or "Homini quantum in ipso est colendam et servandam esse societatem" (GROTE and PUFFENDORFF), or "Neminen laede—suum cuique" (LEIBNITZ). All that we have said in the chapter on Utilitarianism applies here. (6) Under the heading of personality we have the three principles—(*a*) of individual personality (KANT), "Treat every man as person; (*b*) of microcosmic personality (DR. LIPPS), "Realise the whole world in yourself"; (*c*) of universal personality (HEGEL), "Realise the personality of Society." These principles are examined in the chapters on Universalism and on Rights.

The reader will have no difficulty in recognising from what has been said in the foregoing chapters that many of these principles are false, whilst others fail to include the whole moral law (and therefore are not to be regarded as primary principles in the sense intended by the Ethicians here mentioned) being principles only of certain departments of morals. Further criticism of these so-called primary principles, we think, will not be necessary at this point.

* The question of the possibility of inheriting these beliefs and of their origin in past ages has already been fully treated in our chapter on Evolutionist Ethics.

of moral truths, or the reason why we ought to accept them. This we have fully explained in an earlier chapter. The question how a child comes in the first instance to believe that two sides of a triangle are greater than a third (we take it for granted that such a proposition has only to be put before the thinking child in order to command instantaneous acceptance) has nothing to do with the question—Why do you, a mathematician, accept it, or why ought you accept it? So our present question is, not what is the right ground of our moral beliefs, but how do children generally come by their moral beliefs? Now, a child may accept mathematical truths on the word of his master; yet no one would, on that account, say that the proper ground of Mathematics is tradition. Why? Because mathematical propositions can be proved on mathematical grounds. So also with Morals. Once we have proved the reality of moral distinctions we have implicitly shown that the ground of our moral beliefs is not mere tradition, that Ethics is based upon Ethical grounds, as Mathematics is upon mathematical grounds. But our present enquiry has nothing to do with the question of the ultimate grounds of moral belief. It is a question of history only, but it is of great interest to the Ethician.

At first sight it would seem that the beliefs of children depend wholly on traditions—that is, on the teaching of parents and master. Children in civilised countries, long before they are able to reason or to express their thoughts with any clearness, have already been instructed in moral truths—that is, they have in the first instance accepted these truths on the ground of tradition only. Even savage children, from their very earliest years, are made familiar with the particular religious and moral persuasions of their tribe, so that from the beginning their moral beliefs are developed under pressure, if we might say so, of religious and political training.

Still, in spite of this fact, we maintain that the beliefs of children do not depend wholly on tradition. We

claim that though a child begins with tradition, yet at the age of ten or twelve he has already come into possession of certain moral beliefs *which he holds with a strong intellectual conviction*, not on the strength of mere human testimony, but on account of their own intrinsic evidence. In other words, we take it for granted that at ten or twelve children no longer require the authority of their parents in the case of some moral principles, and that they adhere to these principles or propositions on account of the insight they now possess into the intrinsic truth of these propositions. These propositions may not be very many. But a boy of twelve (we say "Twelve," though we believe that the transition from tradition to belief on intrinsic grounds occurs at a much earlier period) believes on intrinsic evidence such truths as that he ought to honour his parents, that they should care for him, that he has rights against other men. Some beliefs he still holds on the ground of authority alone. If asked why he believes that America exists or that planets move, or that absolute monarchy is not good, he will answer "because so he has been told." But if asked why he believes that murder is bad, or, better still, if an argument be put forward in his presence to show that murder is good, it will be found that in answering he does not appeal to any authority for his belief, but will refer to some objective ground and argue the case out on its merits, thereby showing that he is conscious of the intrinsic unreasonableness of murder, and that he no longer believes on faith alone. The ground which he assigns may be far from satisfactory, but it is evident from his attitude that now he is believing on grounds intrinsic to the truth itself, although as yet he may not be able to express these grounds coherently. Thus, between his moral belief and his belief in facts into which he has as yet no personal insight, there is the very marked distinction that the one class of truth appeals to his own inner convictions from their inner evidence, the other only on the ground of an extraneous authority. The moral

world, therefore, has begun to appeal to such a child for its own sake, and he will judge of it from what he feels and perceives, and will talk of it as a thing that he is familiar with, and will think for himself concerning the reasonableness of the moral laws, and will even question the judgment of other people about them, which shows that some at least of his judgments on moral matters are now received at first hand, and not on mere authority.

A child's judgments about remote conclusions may, many of them, be wrong. It would be strange if some were not. If a boy can form a wrong judgment about many simple truths of Physics it is impossible that he should not sometimes go wrong in Morals. But in general, on the broad moral principles, his judgment is perfectly trustworthy. No boy, for instance, could think that murder, and lying, and cruelty, and robbery are the right things, and ought to be done. Such a proposition he could not entertain for a moment, even if he tried. But his whole soul goes out to the thought of the goodness of truth, and of respect for parents, and of benevolence, and of honour. It goes out just as easily and as naturally as the flower opens up to the sunlight, from which fact we draw the conclusion that morality appeals to him to a large extent on the ground of its own objective evidence, and that, therefore, his assent to morals is not based on tradition alone.

We are led also to another conclusion—namely, that, since in the sphere of morals authority ceases at an early age to be necessary to a child's belief, and since the first principles of the moral law come so quickly to be believed on the ground of their own inner credibility, it seems evident that, even were no instruction given, the unaided Reason must succeed in time in constructing for itself a good deal of the moral law, although in an unsatisfactory way and in the rough, and at a comparatively late period in a man's career. To construct the natural moral law with any perfection needs experience and a ripened Reason. But granted a mind that can

normally think, and granted that it has some experience, there is no doubt that even without instruction it must arrive at length at some rough idea of the moral system. What, therefore, is the effect of instruction on the young mind in the department of morals? Just this—aided by instruction the moral ideas come to it all the sooner, and aided by instruction they are necessarily cleaner cut and truer. Instruction in morality is like the plan of a city, which puts before us boldly and definitely at one glance the lie of every part, and its relation to the whole. In that one view we see the city as a whole, and also the direction of every passage and turn. Without such a plan we might, indeed, come some day to know the city, but only after much trying research and many failures—streets and roads often seeming to lead nowhere, and turns and passages to have no meaning. It is so with morals—with this *addendum*, that in morals the failures of research-time mean disaster to the individual. Instruction, therefore, is necessary even for the very life and welfare of the child. It is necessary also, and for another reason, to the world at large. For though it is true that unaided Reason will arrive after much thinking at some fair idea of the truths of Ethics, yet it is also true that our moral system could not develop, that the fabric of morals could not grow, did not each age hand down the results of its reasoning and its experience to the age that immediately succeeds it. Moral science is not more easily constructed than many branches of Physics, and if in the sphere of Physics each age did not build upon that which preceded it, the edifice of science could not be reared. In the same way instruction and tradition are necessary to moral science.

Having seen, now, that the moral beliefs of children are not dependent wholly upon tradition, it will be interesting to enquire, from what we know of the child mind, what would be the meaning of the conceptions "good" and "duty" if, these ideas being once supplied to the child, they were allowed to develop in his mind without further instruction. What, for instance,

would a child understand by "good" and "duty" who was told that it was a good thing and a duty to be honourable and kind? That most children from the very beginning regard sin as directly and immediately an offence against God, and the moral law as His command, is only natural, since that is how they have been trained to think. That training is, we maintain, justifiable both on logical and on moral grounds. It is justifiable on logical grounds because, as we showed in the earlier chapters of this work, goodness and duty are in their last analysis founded upon God as supreme end, and, therefore, sin is truly a violation of God's will. Secondly, this religious interpretation of morality is morally necessary, because it is the conception of a personal relation of the child to a Supreme Being that appeals more than anything else to his mind and heart, and fires him with a love of the "good." But what now of the untrained child, or the child who has merely received the suggestion that certain acts are bad and others good? What in his mind will be the meaning of the two ideas "good" and "duty"? Naturally much will depend on the child himself. Some children never think. But some do think, and, granted that the child has come into the possession of a language—in other words, that he is normal and possesses the means of thinking—we maintain that his mind will, if allowed to develop, follow a very definite course. It will be found to pass through two distinct stages—(1) The stage at which evil is regarded as a violation of the law of nature,* and (2) the stage at which evil is regarded as breaking in upon the plans of Him who made nature what it is.

First—Badness to a child, who *has not yet been told*

* A child will not *formally* think of such a thing as *nature*. But, just as a psychologist experimenting upon the ordinary subject gets him to describe his experiences, and then makes use of these experiences, cataloguing them according to the methods and terminology of his science, so it will be found that the thoughts of the child have much in them of real scientific value, and that the prudent interrogator will be able to extract from them their genuine Ethical significance. In this sense we claim that a child regards evil-doing as unnatural.

that it offends God, is simply this—that an order has been broken in on, and disorder has succeeded in its place. The child feels, when he has done certain acts, that there is something wrong with himself—that he is not what he should be. He steals, and he feels that there is a disturbance of the proper and natural distribution of things around him. A drunken man is to him a monster—something that falls short of the standard of nature. Disarrangement, deformity, disorder, have in these cases replaced arrangement, harmony, and design. Evil, therefore, is regarded as a violation of nature, and by nature a child means the original plan of things. This is the first step. Secondly, a child's mind, *particularly if it receives the least help in its work,* will very easily travel up to the thought of One who planned the world and made it. We say "particularly if, etc.," for even without help a child must soon begin to wonder what is the cause of the world, and even to assert that it must have a cause. But if once the idea of a first cause be suggested to him, the child's thought rises immediately to it, as to something that satisfies all the necessities of his mind, and when he accepts that belief in a First Cause, he accepts it, not indeed because it has been suggested, but because it is reasonable, because his whole being goes out to such a thought as giving everything around him meaning and completeness; in other words, the existence of a First Being explains everything that he can think. We are not now defending the logic of his thought. We maintain, indeed, that it is absolutely logical. But logical or not, a child's mind travels up to that thought of a first cause of the world as easily as it does to the thought of the maker of a watch or of a house. One of his first questions is how he himself came to be, and how his parents came to be, and how all things come to be, and at the thought of a "First" who made all, his mind is at rest. And so he easily gets to the thought of sin. First, a bad act is a violation of nature—that is, it violates the original plan of the world; secondly, it is a disarrangement of *God's*

plan, a disarrangement that displeases God, a disarrangement that can only be set right by God. How far that idea would carry a child we do not know. He might even think that to prevent a tree from flowering or to break down its branches (these things being in some sense against nature) was sin. We have no doubt that a child would at first get many erroneous ideas of his duty. But still we believe that his ideas will run in some direction such as that which we have indicated.*

Thus, even in the mind of the child, we find in some sense the rough outline of the whole philosophy of morals. Evil is to him a disarrangement of the original plan of things and a violation of *nature*, and consequently an offence against God And, as we have seen, the philosophical account of evil is no other than this. Sin is a violation of the natural order. But it is also an offence against God, and it is as an offence against God that sin comes home to us most intensely, and this is the natural form that the idea of evil and of the violation of Duty assumes in the mind of a child.

With what rapidity, when once these ideas of goodness and duty are possessed, the proportions of the moral fabric begin to form will be readily understood. That lies and murder and disrespect of parents are unnatural can then be seen by the youngest mind. Particularly easy will be the formation of such judgments by those who are not left to their own resources, who have a few of the moral truths put ready-made before them for their acceptance. But when these judgments have been formed we still require the thought of the Higher Sanction and the Personal love of the first Creator if our love of the good is to be an actuating principle with us, and if the fabric of our moral beliefs is to have permanence and stability.

* Parents might instruct a child to do certain things because such is their wish, but unless there was something in the natural relation of parent to child which appeals to the child's mind it could not know that it was its duty to pay heed to the word of its parents. The mere wish of the parent could not of itself generate a belief that that wish has the force of a law, and that it ought to be obeyed.

(*b*) *Can conscience develop and decay?*

"Can conscience develop?" is a question which we shall find no difficulty in answering. Since conscience is nothing more than the practical Reason * it can be educated and developed in two ways—(1) By the attainment of new truths, (2) by increase of power—*i.e.*, of energy and acuteness—in the reasoning faculty itself. These things require no elucidation; for the moral faculty is exactly on a par with the mathematical or the commercial Reason, both of which can grow in the two ways mentioned—*i.e.*, objectively, by enlarging the sphere of knowledge, and subjectively, by developing one's inner power of observation and thought.

But a question of much more practical importance for Ethicians, and of much greater difficulty as well, is the reverse of that just put—namely, (1) Can Conscience decay, and if so (2) can it be lost altogether?—*i.e.*, can Reason become partially blinded on moral matters, and if so can it wholly lose sight of morality?

(1) We answer, first, that conscience can decay in two ways—(*α*) By the weakening of the *general* faculty of Reason itself, (*β*) by loss of perceptive power within the special sphere of morals. (*α*) Of the first there is very little necessity to speak here. If the general faculty of Reason becomes impaired our power of moral judgment, like that of the mathematical judgment, must be to some extent adversely affected. We can no more trust the judgment of a madman on moral matters than we can trust his memory or his imagination on the facts of sense. But we must speak more at length of the possibility of decay in Conscience itself, or of Reason within the special department of morals. (*β*) May it happen that whilst in every other department the Reason retains its strength and balance, yet in the particular department of morals, of moral good and evil, the Reason may become blurred and untrustworthy? That conscience does decay to some extent is a fact to which no observer of men can close his eyes. There are men

* More strictly, an act of the practical Reason.

in whom the moral faculty has become so irresponsive that they fail to see many truths that once were clear to their minds, and obvious, and unmistakable. And this has come about, not because of any explicit or formal process of reasoning that they have gone through, but simply because conscience has lost its edge, because it has been blunted by one or more of the thousand and one influences that are wont to affect the practical Reason. The first of these influences is the *constant misuse of conscience;* the second is the *influence of desire upon thought.* By the misuse of conscience we mean the use of Conscience against one's better judgment. We rarely do evil without excusing ourselves in some way, and making up our minds that what we do is lawful—that it is well not to be too strict—that to err is human—that sin must be condoned, &c. All this is against our better judgment. The still small voice warns us that we are in the wrong. But the still small voice being constantly unheeded soon goes below the threshold of our moral consciousness, and ceases to be heard. Then, secondly, there is the general effect of desire on conscience and on the Reason generally. Prejudice and desire are capable of warping the judgment not only in morals but in every kind of belief. Scientists often err unconsciously in their account of the laws of nature, because of some hobby or fancy for which they want to find support in the facts of nature. In politics, too, our views are influenced very much by our prejudices arising out of environment, or by the prevailing fashions of thought and speech. And just as our political and scientific views, so also our moral judgments are affected by our own desires or passions, and particularly by the views of that society in which we live. And we are affected in varying degrees according as our character is weaker or stronger, compromising or independent. Conscience, therefore, may decay, and even well-reasoned judgments be reversed through a variety of causes of which the cases just given are only a few prominent instances.

(2) But though conscience may decay there is still a limit to the reversibility or variability of our moral judgments. Our views on Political Philosophy may change, so far as to make us think that that particular system of taxation is the better one which suits our own business and requirements. But we cannot imagine a thinking man *genuinely* believing that there should be no such thing as government or "law and order" at all. So in morals, a man could never come to believe that indiscriminate murder and the complete neglect of children were lawful, or that the natural was the thing to be avoided, and the unnatural to be done. No, the first principles of Ethics and what has been called their proximate conclusions can never vanish from our minds, however much an evil life or prejudice or passion may affect us. We can imagine a man holding that in certain very exaggerated circumstances even murder would be lawful, though to the cold, unprejudiced, developed Reason it could never seem so. But no developed mind could ever believe that wanton murder was the good thing and to be done, and its opposite the bad thing and to be avoided. Hence, whilst the faculty of Conscience is quite capable of partial decadence it can never be wholly lost. A man can never despoil himself of his first principles or of a knowledge of his main duties, and as long as these remain they will not only keep up a claim on their own account, but will also act as an incentive in bringing back to his mind even those discarded truths which crime and passion have obliterated.

(*c*) Un-Ethical Man

We turn now from the consideration of the question of development and decadence in the moral perceptions of civilised men to the kindred question of "Un-Ethical man"—a field of enquiry which many philosophers have used, notably M. Ree and M. Levy Bruhl—to show that moral beliefs are not a natural possession, that once there was no such thing as conscience or a consciousness of moral distinctions, that these beliefs are, therefore, an

artificial product, and as such have no moral binding power. If, as is contended, it can be shown that the *savage races* evince in their general mode of conduct less and less consciousness of moral distinctions as they go down in the scale of human beings, and if those men who have never lived in society—namely, the solitaries or wild men of the woods, of whom there have been many—show no knowledge whatever of moral law, then it would seem to follow *that conscience is not a necessary* part of human endowments—that it can be lost wholly or never be attained to at all.* We shall, therefore, treat:—

I. Of the moral beliefs of savage races.

II. Of the beliefs of the "homo sapiens ferus."

I. Of the Moral Beliefs of Savages.

From Darwin's time anthropologists have been at pains to show that races exist which are so far removed from civilised men as to exhibit no trace of morality in act or in belief beyond what is to be found in the higher animals. Lord Avebury writes:—"While even the lowest savages have many material and intellectual attainments they are, it seems to me, almost entirely wanting in moral feeling." He remarks, however, that "the contrary opinion has been expressed by many eminent authorities." † Whether, if Lord Avebury's account be true, the Darwinian theory on the origin of man must also be true it is not for us to determine. But it is within our province to determine whether if Lord Avebury's view be true—the view, namely, that some men have no moral beliefs—it would follow that the laws of morals themselves objectively taken cannot be natural, but are simply the result of custom or of some

* If these positions—(1) that moral beliefs are natural, (2) that they can never be wholly absent—are mutually inferrible, then their opposites—(1) moral beliefs are only the result of customs, (2) moral beliefs may be completely wanting to the human mind, may also be regarded as mutually inferrible, and most Ethicians treat them as inferrible from one another. The former inference, however, we reject.

† "Origin of Civilisation," page 414.

other non-moral ground. On this point we maintain the following:—That even though all savage races were wanting in moral beliefs, and had never heard of a difference between good and evil, the Moral Laws themselves might still be natural. If the validity of Mathematics, Physics, and Psychology does not depend on the attainments of the savage in any way in these branches of enquiry, if the laws of all three sciences would remain, even though savages knew nothing about numbers or the laws of bodies, or had never performed any act of introspection, and did not know what the mind was, or what it could do, it is hard to see how the laws of morals might not still be natural even though savages did not know of them, or why the validity of this Science of Morality should have any dependence whatsoever on the practices, or the beliefs, or the want of beliefs, of the savage races.

Still the savage is always interesting, and consequently we shall now briefly tell the reader what we hold on the view of Lord Avebury, quoted above—a view which, we think we can safely say, is far from possessing the authority which formerly it obtained amongst men of learning. But before doing so it will be well to make one or two introductory remarks. One is that a great many people think that we are inclined to make too much of the savage, that the differences between him and the ordinary uneducated civilised man are only skin-deep, and that if we knew him we should find that he was a very ordinary being, and in most things very like ourselves. This, at all events, was the conclusion come to by Dr. Livingstone, who had better opportunities for observing savages than most men have had. He found savages he said, "strange mixtures of good and evil, as men are everywhere else." Our second remark is that, judging by what we know of the necessity of certain of the moral laws for individual and racial existence, the conception of a race wholly without morality, and yet continuing for centuries to exist, is quite impossible—almost as impossible as that of a race of men without heart or lungs,

and yet continuing to live. As E. Tylor writes:—"Without a code of morals the very existence of the rudest tribe would be impossible."* This argument, however, is purely *a priori*.

But let us look now at the historical question proper. Recent anthropologists have so clearly proved the presence of moral beliefs in races once regarded as practically without moral beliefs that we are forced to the conclusion that early travellers who failed to notice the presence of these beliefs must have taken very little trouble indeed to discover them, and that their observations must have been hurried and superficial and misdirected. Take the case of marriage. According to some travellers certain savage races know nothing of marriage laws. Yet Rätzel writes †:—"Where marriage has been supposed to be absent, even among the most promiscuous nomads of the forest and desert, its existence has sooner or later been in every case established." Other writers have asserted that certain savages were wholly without political organisation. Yet Rätzel writes ‡:—"No race is without political organisation. . . . What sociologists call individualism has never been found anywhere in the world as a feature of any race."

And these general testimonies are supported by others regarding the moral practices of particular races of savages.§ A few such testimonies will suffice for our

* "Primitive Culture," Vol. II., page 360.

† "Völkerkunde" (Engl. Transl.), I., 114. Even Lord Avebury seems most undecided about drawing from the testimonies of travellers the conclusion that savage races have no morality. He throws cold water on many of their pronouncements—*v.g.*, on that testimony of Casalis in regard to the Basuto people, which is given later in this chapter. On questions of justice he seems to think in one place that the most sweeping conclusion open to him is that property is not so safe amongst savages as amongst civilised men.

‡ "Völkerkunde," I., 129.

§ We might, in order to prove our point, here draw up in opposition to the testimonies adduced by P. Ree in his "Entstehung des Gewissens" and by Lord Avebury, another list of counter-testimonies taken from Ethicians like Flugel, Westermarck, Elsenhans, and Cathrein; but the testimonies in the text are taken rather from men like Rätzel, Prescott, and Livingstone, whose accounts are written from the standpoint of pure history, and without any reference to the bearing of their testimony on Ethical theory.

purpose. Of the moral practices of AUSTRALIAN SAVAGES who, according to Wake,* are amongst the lowest of all ancient people, we have an abundance of favourable testimony. Rätzel gives convincing proof of the perfection of their family life, the mutual love of children and parent, their respect for women (so far as that is possible in the case of a polygamous † race), and for the marriage vows, any violation of which was visited often with death. Marriages of relations they strictly forbade. "The least trace," ‡ writes Rätzel, "of blood relationship is a bar to marriage." Often marriages were forbidden within a particular clan.§ Homicide was punished with banishment. "If a native," writes Rätzel, "murdered a member *of another tribe* his life was forfeited to that tribe." ‖

Needless to say, the homely virtues of these people did not long remain after the arrival of the European. All that was good in them, as in the case of other savage tribes, was turned to evil by the greed, cruelty, and dissolute behaviour of civilised men.

The AFRICAN SAVAGE has long been held up before our imagination as little better than the brute, without religion and without morals. Lord Avebury quotes Burton's testimony:—"Conscience does not exist in Eastern Africa. There robbery constitutes an honourable man." This view, however, of the African savage has not been upheld by investigation. Instead of the

* In his work on the "Evolution of Morality."

† It should be remembered that Polygamy is not opposed to the primary moral principles, but only to the secondary principles of the Natural Law. It could, therefore, apart from positive legislation to the contrary, be allowed in certain circumstances.

‡ "Völkerkunde," I., 368 (Engl. Transl.). Affinity, however, not only was no bar to marriage, but it was even in some cases supposed to confer some marital rights which were certainly not in accordance with the natural law. Whether these supposed rights were publicly admitted or whether they were simply an evil practice, we have not been able to determine with any certainty. We believe that they were only an evil practice, but common.

§ This custom, known as Exogamy, was a marked characteristic of many African tribes, who in this matter present a strange contrast to the customs of the Inca tribes of Peru, who made it a law that marriages should take place only within the clan.

‖ "Völk.," page 379.

complete want of religion ascribed to them we have Waitz's * testimony that the religion of some of these tribes was almost monotheism. And instead of utter immorality we have Livingstone's testimony:—"After long observation I come to the conclusion that they are just a strange mixture of good and evil as men are everywhere." Rätzel gives extraordinary instances of the delicate sense of honour of many of these tribes, and shows † that, foreign influences apart, the more primitive they are in their manners the purer are they in their practices. The love of mothers for their children is most tender. Livingstone relates how, at the slave markets, no mother could be found to sell her children to the Arabs. Even grown-up negroes are exceedingly attached to their parents.‡ No doubt these African negroes have many vices, just as civilised men have (it is one of the advantages of civilisation that it can hide its vices). But, considering the abnormal conditions under which they have lived, their extreme desire for pleasure, the lightness of their imaginations,§ and the warmth of their temperament, their vices were comparatively few. Rätzel writes:—"Divorce is rare amongst (those) tribes which lead a simple life undisturbed; nor is adultery so frequent as among those who have accumulated capital, possess numerous slaves, and have come into closer contact with Arabs or Europeans." ‖ That stealing was regarded as a crime is evident from the punishments that followed. It was regarded by them as worthy of a second death. In the case of many tribes perjury was punished with death.

Of these African races we shall mention three in particular:—(*a*) The HOTTENTOTS, as can be proved by an abundance of testimonies, honoured marriage and

* "Anthropologie der Natur Völker."

† "Völk.," II., 325.

‡ The practice of abandoning parents when they become helpless, which was not uncommon with these people, we shall explain later.

§ Negroes will often laugh a whole day at the silliest joke or the most trifling mishap.

‖ "Völk.," II., 383.

married early. The giving away of the daughter was the strict right of her parents, and marriages between relations were strictly forbidden.* Murder, stealing, and marital infidelity were severely punished. Apart from certain cases to be considered later—cases, namely, in which the Savage mistook the law of nature—these Hottentots were remarkable for the love of parent and child. The girls especially seem to have been brought up most carefully. From Europeans these poor people have not learned much that has helped the purity of their morals.

(*b*) The BUSHMEN have commonly been regarded as the lowest of all savages. The wonder is that they have any morality at all, considering the conditions of their life and their long and hopeless struggle against adversity. Yet of their moral beliefs there cannot be the least doubt. They enter the married state young and with much ceremony, and usually with public assurances (which are regarded as necessary) of their love one for another.† Marital infidelity is severely punished by them. Still, being polygamous, the status of women is low.

(*c*) The DWARF RACES of Central Africa are not so well known as other savage tribes. Yet of the moral perceptions of these mysterious little people there is not the slightest ground for doubt. Wissmann (whom Rätzel ‡ regards as the most trustworthy authority on the customs of these races) praises the "timidly modest, almost girlishly shy demeanour of the Batuas in the Basonge country and on the Ituri." § And Rätzel writes:—"These dwarfs are no missing link, no unparalleled primitive race rising up from a period of ape-man, but only a necessary and ancient element in the races of Africa, whose existence is thoroughly justified on natural and, above all, on social grounds.‖

* Rätzel. "Völk.," II., 291.
† Rätzel, II., 274.
‡ "Völk.," II., 306.
§ *Ibid.*, 306.
‖ *Ibid.*, 308.

The NORTH AMERICAN INDIANS are remarkable for their high moral code. Their truthfulness, honour and kindness are proverbial. Robbery, at least from one of the same tribe, is quite unknown amongst them. P. de Smet, S.J., in his "Voyages dans l'Amerique Septentrionale," gives proof of their high moral perceptions. They punished severely robbery, marital infidelity, murder, and lying. They did not favour, though they allowed, polygamy. Their respect for marriage was remarkable. Friendships between young men and young women were allowed only with a view to marriage. Disrespect to parents was punished severely. Crimes committed in drunkenness were not punished, which of itself may be regarded as proof of the clearness of their moral views. Rätzel mentions the absurd opinion advocated by some travellers, that the purity of the Indian is due to his indolence—an opinion which is valueless except as a testimony to their purity.

The great fault of the Indian mind is the intensity of its hate. In the matter of punishments the Indian seems to have known no bounds. Such faults, however, are quite compatible with the possession of high moral perceptions.

The PERUVIANS, though barbarous, had a very high morality. Their form of government under territorial viceroys, with one principal Inca or chief, was a despotic monarchy of a very perfect kind. "Their laws," writes Prescott, "were few and exceedingly severe. They related almost wholly to criminal matters. . . . The crimes of theft, adultery, and murder were all capital."

The FUEGIANS, or inhabitants of Terra del Fuego, who were once regarded as completely Un-Ethical, have proved a great disappointment to the positivist Ethicians. It has been shown that, in spite of their hard and unhappy lives and the abnormal conditions of their wretched country, this people has still its moral code dealing with such crimes as stealing, lying, marital infidelity, and homicide. Of them Rätzel writes*:—

"Hardly any race has been so much under-estimated as the Fuegians in respect of intellectual capacity. Their whole life is so wretched that it would seem useless to speak of any spark of higher intuition. Yet it would better correspond with the facts to lay special emphasis on the way in which, in spite of all this, the rites of the dead are here as faithfully observed and as thoroughly performed as among opulent nations. . . . They distinguish between good and evil spirits," &c. Also—"Many customs point to the fear of punishment (for crime) by higher powers—for instance, various rules for food and abstinence." These can scarcely be described as the customs of a people not knowing good and evil.

The HYPERBOREANS.—"By far the greater number of testimonies," writes Rätzel, "to the character of the Hyperboreans are favourable. Honourable, good, inoffensive, is the praise given by the Russians to nearly all the inhabitants of Northern Asia. It is doubly strong if we consider the mass of wickedness with which for some decades the deportation of criminals from Russia has been leavening the whole region." †

The general impression left at all events on us (who are no specialists on the subject of Anthropology) by our reading of the ways and habits of savage peoples is, not that they did not know of a moral law or of moral distinctions, but rather that, unless we hold that their moral views have come down to them from a former period of civilisation, it would be impossible to account for their beliefs, so correct and so decisive, so unalterable, and particularly so universal is their knowledge of the laws of nature—for instance, of marriage, of truthfulness, of property, and of the right of men to their lives.‡ In the wretched condition in which we now find many of these savage peoples the discovery of such laws seems to us an

* "Völk.," II., 91.

† *Ibid.*, 201.

‡ "Whether, even in this former state of civilisation, these laws were given by revelation or were discovered by Reason is quite another question.

absolute impossibility. Without tradition, without the leisure necessary for thinking, with no fixed habitation and no security against incursion from other warlike and nomadic tribes, often with no settled form of government and very little knowledge of, or care for, a "common good," these wretched peoples could no more have formulated the code of laws which they at present recognise * than a body of unthinking vagrants could formulate it even under civilised conditions. We are here dealing with a concrete case. We know the conditions of life required for the making of such laws as these, and we know that these conditions are not the conditions under which the savage races now exist.

The reader may not, indeed, consider that we are justified by the facts in drawing such a conclusion as that which we have just announced; but he will, at all events, agree that the statement that savages "are entirely wanting in moral feeling" is utterly opposed to fact, and to the clear testimony of History and Anthropology.

A DIFFICULTY CONSIDERED

Our purpose in the foregoing argument has been to show that, because savages are possessed of moral codes not very different from our own, their moral beliefs must also be the same in character as ours. But in connection with this argument a difficulty presents itself, of which much has been made by Lord Avebury and others, and which it will be necessary to consider here—namely, whether it is lawful to conclude that because the savage codes of conduct are largely similar to our own, their moral beliefs also must be of the same character as our own. The difficulty may be put as follows:—May it not be that if the savage avoids murder and adultery and theft he avoids them either from *instinct,* as the animals avoid certain actions, or (if he acts from Reason) *from some non-moral motive,* such as because it pays to avoid them and not because he believes that these things are

* It is the universality and the decisiveness of their moral perceptions that we most insist upon here.

intrinsically evil. In either case practice would be no guarantee of the presence in savages of moral beliefs such as civilised men possess. If we attribute moral perceptions to savages simply because they perform their natural duties of parental and filial love, then, says Lord Avebury, "we must equally well credit rooks and bees and other gregarious animals with a moral state higher than that of civilised men." *

Now, this difficulty may be met by the following considerations:—(1) If savages in their external acts follow the same laws of conduct that prevail amongst ourselves it devolves upon our opponents to show that the motives of savages in so doing are different from ours—that is, that the practices of savages proceed either from instinct, as is the case with animals, or from some non-moral motive like that of avoiding certain painful consequences, instead of from a persuasion that these acts are intrinsically evil and to be avoided. But this, so far as we are aware, our opponents have not succeeded in doing. (2) It is evident that these practices of savages do not proceed from *instinct*. For savages of the very lowest grade have Reason just like civilised men, and where Reason is present it must, to a large extent, become the guide of conduct. Besides, savages are possessed of written codes, or at least they are able to give intellectual expression to their tribal laws, from which we conclude that intellect, not instinct, is their internal principle of conduct. Again, in punishing certain crimes, savages allow for certain mitigating circumstances, such as the fact of their being committed in drunkenness, which plainly is possible only to Reason. (3) Again, their motive is not some LOWER NON-MORAL END, such as that some conduct pays and other conduct injures, but a persuasion that certain actions are intrinsically good and to be done and others intrinsically bad and to be avoided. For, in the first place, many of the testimonies of travellers concern not merely the outward acts of savages but their confessions that certain acts are

* "Origin of Civilisation," page 416.

good and others evil, and in these confessions there is no mention of any extrinsic motive such as the pain or the pleasure that result from conduct or of any condition on which the goodness or badness of these acts depend, but only the simple proposition that some acts are good (categorically good) and others evil; in other words, that acts are morally and intrinsically good or evil. Secondly, savages believe that the gods will and *must* punish certain very heinous crimes, a belief which could only arise from a conviction of the intrinsic evil of these crimes. Thirdly, the nuptial rites and ceremonies so characteristic of savage marriages denote their belief in a certain inner sacredness attaching to the state of marriage, and consequently a belief in the intrinsic moral evil of any courses of conduct that are not in accordance with the marriage law.

These are only a few of the arguments that might be used in answer to Lord Avebury. But it seems to us little better than wanton and unreasoning unfairness to claim that the very same courses of conduct that, in the case of civilised men, spring solely from our moral belief in their intrinsic goodness may, in the savage races, be the outcome of other faculties or other motives, or even to expect us to prove that the motives in the two cases are the same. The savage is a man, in all essentials just like ourselves, and his mental constitution must, as regards the ultimate principles and springs of action, be the same as ours.

Some Principles for Estimating the Value of the Testimonies of Positivists

We think it well to put before the reader the following points which we think ought be borne in mind in estimating the value of testimonies such as those quoted by Lord Avebury and P. Ree concerning the moral beliefs of savages:—

(1) Those testimonies which are opposed to ours are not intended generally to prove that no savage races

acknowledge moral distinctions, but only that particular tribes acknowledge none.

(2) Where two men testify, one that he could not observe any knowledge of moral distinctions amongst certain savage tribes, the other that he did observe these distinctions and that he got proof of the knowledge of them from the customs and laws of these peoples, and even from their own admissions to him, then this second testimony is to be accepted and not the first (competency, &c., of course, being supposed). This may seem a strange and a one-sided claim to make, but it is quite logical, and it would hold in any science that depended upon observation as that of Anthropology does. If two astronomers testify, one that he has observed a comet, not for a moment only but for a long time, and clearly; another, viewing the same part of the heavens, that he has observed none, then this second testimony is not supposed to prevail against the first, or even to impair its value, since the conditions which favour observation may not have been realised in this second case.

Still, we admit that, in the case of morals, we should be able to explain why it is that a competent observer has failed to recognise the presence of moral beliefs in those very same cases in which other observers seem to have had very little difficulty in finding them. The causes of this failure may be many—(*a*) *Prejudice* in favour of a particular Ethical theory, (*b*) *romance*—or the desire to meet, or to seem to have met, people with customs wholly different from our own, (*c*) *incomplete observation* consequent on hurry (not an unknown thing with travellers), or upon ignorance of the language, (*d*) the natural *reserve* of savage peoples themselves in their dealings with strangers, (*e*) more than all others, the habit of concluding from the prevalence of immoral practices to the absence of all moral beliefs. It is, in general, exceedingly difficult, and, indeed, impossible, to argue from the dissoluteness of a race, to the total absence of moral principle or moral beliefs amongst its

members. Thus (to take a case mentioned by Lord Avebury *), according to Casalis, the Basuti, on the death of their chief, gave themselves up to every sort of licentiousness until his successor was appointed. Can we accept the conclusion that, therefore, they regarded all law as dependent on the will of their Chief, whose death annulled the law? If so, then future historians might also judge that most workmen in certain Scotch and English cities regard the law of temperance as suspended on bank holidays, since on that day so many people act as if it were suspended. It is always difficult to argue from outward action to inner belief. If action never contradicted inner conviction there would be no sin. *De facto,* we can show proof of the pure moral beliefs of the Basuti.

(3) As most cases of immorality recorded appertain to injustice we must be careful to ascertain whether the alleged acts are really acts of injustice, or whether they are not rather acts that, to the untutored mind, might seem allowable, even though these minds possessed a keen sense of justice and of the law generally. It is hard to expect, for instance, that in an environment of plunder, such as nomadic and warlike races live in, men will be delicate about the appropriation of other people's goods, when there is absolutely no security for their own. May it not seem to them that if all men steal from them, they may steal freely in return? And are they wholly wrong?

(4) We should be careful to ascertain whether the cases in question are really cases of natural law or only of positive law. Positive laws may and must differ according to circumstances of environment and needs, and consequently the positive laws of savages cannot be the same as ours. Even the natural law may vary to some extent in various nations, since it often depends in its application upon positive conditions which in their variety and unaccountableness must yield very different codes of morality in different cases. Again, the

* "Origin of Civilisation," page 418.

secondary principles of morality may vary, though the primary cannot.* These differences are often left out of view in treating of the manners and beliefs of savages.

(5) We do not claim, in the case of savages, any certain knowledge of morality further than that of the simpler primary moral principles and immediate and easy deductions from them. In complicated cases—cases, namely, in which there is more than one moral principle involved—it would be strange if the Savage mind were to judge, not only invariably, but even *often*, aright. In these difficult cases, as a rule, it is to be expected that untutored minds will just come to such conclusions as suit their own individual and racial convenience. Take the case of homicide as an instance. The law in civilised countries is roughly this—that no man may kill another unless in self-defence or when authorised by the State to do so—that in war he may kill an enemy whenever he meets one. Now, no savage nation allows the killing of a member of one's own tribe. But sometimes it does allow the killing of members of other tribes, for the simple reason that the savage tribes are in a state of continual warfare with one another. Sometimes, however, they forbade even the killing of members of another tribe. The Kaffirs of the Hindu Kush even forbade the killing of the members of any tribe with which they were at peace, whose lives, therefore, and liberties were to be as sacrosanct as their own. Other races forbade homicide in every case. If, however, the savage mind has sometimes erred in regard to the morality of homicide, its error is natural considering the poverty and unreliability of the savage judgment in practically all spheres of thinking, wherever the problem is in the least complicated.

But let us now take the two cases of *patricide* and *infanticide*, so much relied on by positivists. The old and infirm were, in the case of some savage tribes, often

* See Rätzel, "Völkerkunde," Book IV., C. 3.
Thus, much is often made of the practice of polygamy and of dissoluble marriages amongst savage races, though neither of these is opposed to the primary principles of the natural law.

freely done away with, and deformed and illegitimate children were strangled at birth. Now, these are cases of the complicated Ethical problem of which we have spoken, which only the trained mind may be trusted to solve aright. Take, first, the killing of aged parents. The savage finds himself here confronted with two or three powerful moral principles. The first is the principle that the killing of a relation is a very great evil. In that conviction all savage tribes agree, and the most stringent laws are enacted against the killing of a member of one's own family. Secondly, there is the principle of affection for an aged and infirm parent, who must be protected from pain. Now, in the cases under discussion, it seems to us that this principle of affection was itself the actuating force that gave rise to this apparently cruel custom of patricide, because in cases of patricide death seemed to be the only source of relief for the aged and the infirm. For it should be remembered that these wandering tribes had to be ever ready to break up their camps and fly at the approach of other hordes stronger than their own, and that should an attack be made the old and infirm should necessarily become captives and be subjected to torture. Torture and death were the general fate of prisoners of war. We have, indeed, the testimony of Flugel and Waitz that Indian Chiefs over and over again enacted laws against the torturing of those whom their subjects had taken in battle, but we know also from the same authorities that, though these efforts to improve matters were often successful, they were not always so. Thirdly, there was question here of a principle so difficult of solution even for us civilised men, as to how far the private good must be subjected to the necessities of the State. To the savage, the nomadic tribe was the State, and if the tribe was to maintain its existence, it was necessary that its movements should not be impeded in any way in case of flight. But that the old and helpless would impede it there could be no doubt. Here, then, were several principles which it was not easy for the savage to recon-

cile or to choose between, and it is no wonder if he chose what seemed to him at once the tenderer and the more patriotic course—namely, with all delicacy and affection to put his parent out of the reach of pain, and at the same time to set his tribe free to make the best of its opportunities against any other tribe that might appear.

The case of children offered a similar difficulty. After the birth of her child the savage mother was often, as Westermarck tells us, abandoned by her husband, who felt himself free to roam the plains, and often did not return for two or three years. Should a strange tribe come down upon them during that time, the mother and child, not being able to fly with the rest, should necessarily be captured; and it is not wonderful if, to the savage mother's mind, it seemed better to do away with the child at once than to risk both its safety and her own. Illegitimate children were killed because there was nobody to support them, and deformed children because, either they were a menace to the race, or because they were believed to be of no good import. These are all complicated moral cases, and it is not wonderful that the savage mind could not solve them correctly. But they by no means prove that the savage mind knew nothing about the immorality of homicide. Even the Romans, who could scarcely be said to favour homicide, passed the law of the Twelve Tables.*

In such concrete cases as these, therefore, the savage mind must often err. But on the broader principles of the natural law their racial sense was generally correct. They did not believe in monogamy or in indissoluble marriage. But these things are after all not primary principles of nature. Neither, indeed, was marriage always the formal ceremony that it is to us. But in the necessity of it they had a firm belief. However, on the love of parents, on the rights of men, both as against one another and against society, on the wrongfulness of murder, on the sanctity of the

* Savages have no severer laws than those enacted by the Romans against the slaves, such as the law that, if the master of the house were killed, the slaves also should die to a man.

hearth, on the excellence of justice, and benevolence, and fortitude, they were beyond question possessed of such a certitude as could scarcely be expected from men of such undeveloped minds, and such unthinking lives. That here and there cases may be found of races so degenerate as to evince *scarcely any* moral life whatsoever we are quite prepared to admit. We have already said that Conscience may decay. But from this we must not conclude that Conscience is not a constant human possession, or that it is but the result of training or of convention.

Indeed, we may say that it is surprising to find men of culture and learning seeking to determine what is natural in our beliefs from the practices and attainments of the lowest and poorest members of our race, instead of from the highest and the best. They do not judge of the powers of the eagle from one that has never been allowed to see the open heavens, and consequently never comes to be the splendid thing that it is meant to be in the design of nature. Why should we judge of what is natural to man from the attainments of the mentally decrepit and the solitary, for whom circumstances have made thought and development impossible? *

Though Ethically, therefore, we should have no difficulty in admitting the possibility of very wide differences between the savage codes and ours, still, looking at the matter historically, we are convinced that not only have savages their moral feelings and a firm grasp of the general difference between right and wrong, but that their special codes are in the main right, and in principle, so far at all events as the primary laws of nature are concerned, are exactly like our own. We are convinced that the study of the *Natur-Völker* discloses between their morality and ours an identity of principle and even of detailed code which is far beyond what Ethically and logically we should have expected or been prepared for,

* We have not mentioned the argument that even savages often use terms expressing certain crimes as their vilest and most opprobrious terms of abuse. St. Paul gives prominence to the argument in another connection.

considering that in other things civilisation and savagery stand so far apart.

(II.) "Homo Sapiens Ferus." * It is contended that the wild man of the woods—the solitary—is conscious of no moral law. How, then, it is asked, can Conscience be regarded as natural to man? We have already said something on this question in another chapter. But a word in addition may not be out of place. It will not be necessary here to take up the various authentic cases brought together by Rauber in his remarkable work on the wild human solitaries—"Homo Sapiens Ferus." But, looking at these cases generally, we believe that they will be found to confirm a view to which we have already given expression—namely, that Reason, absolutely unaided, and especially unaided by Speech, is incapable of exercise except in the crudest possible way, and, therefore, is scarcely capable of forming for itself any conclusion of permanent value, whether in Mathematics or in Morals, or in anything else. If, however, the faculty of Reason, through want of use, has not degenerated, if only a few words be possessed, then with even the beginnings of thought supplied, the individual can advance very rapidly on the way to moral truth, and can soon come to believe in moral distinctions apart from authority, and can embrace the moral truth in and for itself, and show a grasp of moral relations as real and as secure as that which he possesses of the relations of the simpler mathematics.

Now this view is confirmed by the study of the cases mentioned by Rauber.

In every instance recorded by Rauber the Solitary's mind bore in the main the same relation to Morals as it did to Mathematics or to any natural science. Before the mind could make any inferences it had to be taught a language, and its attention had to be directed to some particular sphere of thought. When the attention of

* The Solitary is to be carefully distinguished from the savage, for the savage lives in society and has the use of speech, the solitary lives alone and has never learned to speak.

these wild solitaries was directed to the moral law * and to moral distinctions between acts, their moral beliefs came home to them as rapidly as any others, such as those of Mathematics or Physics, or rather much more rapidly. We have records in Rauber's work of the high degree of moral culture attained by many of these reclaimed children of nature. We have, as far as we remember, no record of their attaining to anything like proficiency in other branches of learning.

To sum up—We have seen how differences of moral codes are quite compatible with the natural and permanent character of morals. If racial intellects differ in point of keenness, why not their deductions differ also?—and morality is for the most part a deduction. Besides, even civilised men often fail to solve complicated moral cases. Why should not the untrained mind fail to solve comparatively easy ones? Experience, too as we saw in our chapter on the moral criterion, plays a very large part in the drawing of our moral conclusions. For instance, we have often to discover the effect of a course of action on the race, before we can tell whether it be natural. And if the race be unsettled and without traditions, as is for the most part the case with savages, such effects as these are not easily calculated. Ethically, therefore, we see no reason why we should not own up to very large differences in moral codes, for, even though morals be natural, there is great room for differences.

* The wild maiden of Champagne, mentioned by Rauber, had evidently used her thinking faculty in some way, early in life, for though she could not speak she remembered to have at some time seen houses, which was probably a remembrance of her home from which she had been lost before she learned to speak. This may have been the reason why there was no difficulty in teaching her the moral law, and the rudiments of religion. The moral law became to her a reality in an incredibly short space of time, as real as it is to us; and her moral ideas were the most refined and intense. Later in life, meeting with some mishap and fearing that she was going to die of hunger, she uttered the prayer which Rauber quotes for us, and which for simple beauty could scarcely be surpassed. "Oh God, why didst Thou take me out of the solitude where I had plenty to eat, in order now to let me die of hunger. But Thou canst not let me die," &c. The delicacy of the moral feeling exhibited in this prayer could not be possible to one who until ten years of age had lived without moral training of any kind, unless the moral law when once it is put before the mind comes home to it with that fulness and reality that attaches only to a system of real objective natural truth.

APPENDIX

Ethicians have made various attempts to reconcile the variation of moral codes amongst various races with the theory of natural moral perceptions. Of these we shall here quote two,* one, the theory of "*formal identity*" with differences of matter, the other, the theory of "*kernal identity*" with differences in the stage of development attained. Professor Kittel, to whom Elsenhans attributes the first theory (it really is the same as Fichte's theory of Conscience), contends that the form of conscience is given in the law—"The good is to be done"—the matter in the determination of what is good. On the former he says all are agreed, on the latter we differ. The only unity that is necessary for natural law is that of form.

Now, this theory we cannot accept. In the first place, it is not true that the matter of conscience can so vary as to leave no common element in our moral beliefs as individuals or as races. In the second place, there is no such thing as a distinction of form and matter in moral truths. The principle that "the good is to be done" is as much a part of the *matter* of conscience as the principle that "murder is to be avoided." Thirdly, *Conscience* prescribes the *whole* law, and not merely the abstract law of doing the good.

The second theory is that adopted by Dr. Elsenhans himself. He argues that the development of a natural organism may vary in any of three ways—(1) Some forms may remain latent in one organism which in others are developed; (2) one organism may be in point of development just a stage or a period in advance of the other, the two lines of development being otherwise the same; (3) two organisms with the same original kernel of powers may develop in response to two different sets of stimuli from environment, so that the result attained must be different in each case. It is in this third way that he explains the permanence and variability of the moral conscience. Originally, he tells us, the content of Conscience is the same for all. But it develops differently in response to differences of environment.

We cannot, however, subscribe to Dr. Elsenhans' interesting explanation because we do not regard conscience as an original organism that develops from within in response to stimuli. Conscience is nothing more than the ordinary intellectual faculty which is simply stimulated to know by objective things and relations, and to such a faculty the analogy of the budding flower or growing organism could not

* Taken from Elsenhans' "Wesen und Entstehung des Gewissens."

apply. Secondly, we confess to no innate moral truths, which on Dr. Elsenhans' theory are an absolute necessity. Thirdly, in no environment could the human mind be without some sense of the primary moral principles. Fourthly, environment does not justify all differences of moral judgments. Some judgments are simply false and opposed to the permanent natural law, which is to a large extent quite independent of the requirements of environment.

CHAPTER XVII

ON THE PROPERTIES OR ESSENTIAL CONSEQUENCES OF MORALITY

EVERY moral act has three properties or essential consequences:—

(1) *Rectitude,* or direction of the will of the agent to the ultimate end, or its opposite—"wrongfulness."

(2) *Imputability,** or relation of ownership between a man and his act, and the consequent attributing of it in praise or blame to him as cause.

(3) *Merit,* or claim to retribution according to Justice, or its opposite—Demerit.

(1) *Of Rectitude.* It will not be necessary at this point to speak at any length of rectitude and wrongfulness. Rectitude or rightness adds something to mere goodness as sin adds something to mere evil. Any perfection in anything is good and any privation of a good in anything—that is, any want of that perfection which is naturally due to a thing—is evil. But "rectitude" emphasises the fact that a thing which is ordained to a certain end moves to the attainment of that end,† whereas wrongfulness means that something which is ordained to a certain end fails to move towards its attainment. Now, direction to a given end always implies a rule of action, which rule of action in material things is their own nature. But in the case of the human will the rule of direction is proximately our own Reason, and ultimately the eternal law. A *right* action, therefore, is one

*The word "imputability" is used indifferently of bad and good acts. "Responsibility" is most often used of bad acts only.

†This in addition to the conception of good as fulness of being.

that follows the law of human Reason and the Eternal law. A wrong action or a sin is one which violates these laws.

(2) *Imputability* and responsibility depend on ownership. He who produces an act or is the principal cause of it owns it, and, therefore, an act is imputable to the agent who produces or is the principal cause of it. But we have already seen * that to be free and to be (principal) cause of an act are one and the same thing. Therefore, the ground and intrinsic cause of imputability is freedom. Freedom has thus a more direct connection with imputability than with moral goodness. For of morality it is only the primary condition, whereas of imputability it is the ground or intrinsic cause. Since, however, Freedom has been already sufficiently considered in another chapter it will not be necessary at this point to enter into any formal discussion on the nature either of imputability or of Responsibility.

(3) The third property of Morality will require fuller and more careful consideration. We shall treat (*a*) of Merit, (*b*) of Demerit.

(*a*) Of Merit

(1) Merit is the right in Justice to retribution for some good bestowed on another. All merit is a relation of Justice, and it is based on the fact that good is done to another, which good must in some way be repaid. Now, we broadly distinguish between three grades of Justice according to the strictness of the law from which the relation of Justice springs. Sometimes an act is due according to perfect † Justice, and excludes every element of grace or favour. Sometimes it is due in perfect Justice, but presupposes a grace or favour of some sort, through which the relation of Justice arises. Sometimes it is due according to imperfect justice only. From these three grades of Justice arise three classes of

* Page 172.

† The full explanation of these terms—perfect and imperfect Justice—is reserved for our chapter on Rights. The examples given in the text will explain the terms sufficiently for present purposes.

merit.—(1) Merit *de condigno ex rigore justitiae.* (2) Merit *de condigno ex condignitate.* (3) Merit *de congruo.*

Merit de condigno ex rigore justitiae.—This kind of merit excludes all grace or favour, and, as the name itself signifies, it arises from strict law, and binds in strict Justice. Thus, to merit that a man fulfils his side of contracts by our fulfilling our own side is to merit *de condigno ex rigore Justitiae.* It is a relation that arises out of the purest bargaining between buyer and seller, and there is manifestly no element in it of grace or favour or liberality of any sort. It binds *vi operis,* which means that we can point to the work done, and on the ground of that work can press our claim to retribution before the strictest legal tribunal.

Merit de condigno ex condignitate also binds in strict Justice and *vi operis,* but there is in it some element of grace or favour. Thus, if I publicly guarantee that he who wins a certain race will receive a reward of a hundred pounds, and if in the hope of that reward men enter for the prize, he who wins the race and fulfils all the conditions of the race merits the reward promised. He merits, too, according to strict Justice and *vi operis*—that is, he can make good his claim to reward by pointing to the work he has done, and need make no appeal to my liberality or goodness when defending his claim. He has a right in law to his reward.

Yet there is in this case *some* element of grace and liberality which did not obtain in the case of merit *ex rigore justitiae,* for in the case of the promise it is altogether through my generosity that the work done *entitles a man* to reward; and it is this element of graciousness and favour that distinguishes this second kind of merit from merit *de rigore justitiae.* (It is in this second way principally that a man is said to merit with God. For in His bounty God has promised to reward certain of our acts which of themselves could give us no claim to reward. Yet the promise once made, He is bound (*debet Sibi*) to its fulfilment.)

Merit de congruo binds according to imperfect Justice only. An example of this third kind of merit will best explain its meaning. Suppose that I, a rich man, make a present of some money to a poor man, he is not bound in strict justice to return this money, for it is given as a present, and no stipulation has been made as to its return. If, however, the poor man should later become rich, and I should be reduced to poverty, he is bound in such circumstances to help me according to my wants. This obligation, however, is not one of strict Justice, but only of friendship and gratitude and humanity, which, as we shall see in the following chapter, are allied virtues to Justice, and do not bind by a strict law of Justice. In such cases my former kindness is not of itself a sufficient title to reward, and I have to appeal to other considerations besides the work I have done in claiming reward. I merit *in friendship*, not *vi operis*.

Sometimes merit *de congruo* arises even in the case of contracts, but always in connection with something that is not itself strictly contracted for. Thus, suppose that I engage to work for a certain number of hours a day and to receive in payment a certain sum, and suppose that for many years I work faithfully for my master, never missing an hour, taking a more than ordinary interest in my master's business, and pushing it on in every way in my power—in this case I certainly merit something more than the stipulated wages. For though I have *technically* done no more than I contracted to do, I have done more than I *really* contracted to do, and should be rewarded accordingly. For whatever may be the express terms of a contract, a man really contracts to work in a human way only, not in a perfect way, and every human thing is subject to imperfection, and, therefore, if a man works perfectly—that is, in more than a human way—he has done more for his Master than he has *really* contracted for, he has done a work which it would not be *gracious* in a Master to leave unrecognised. In strict Justice such a man has no claim to recognition; he has no claim *vi operis*. He cannot point to his work

and claim reward at law on account of it alone, because the strict terms of the contract were that he should do all that he actually has done. And so a Master cannot be strictly called unjust if he does not give more than the stipulated wages in this case. But, at the same time, the subject has *really* done more than he bargained to do in his contract, as the world understands contracts, and it will be an unfriendly and an ungrateful thing to allow this extra labour to go unrequited.

It may be asked, however, what is the practical effect of this kind of merit? For it cannot, as we have said, be pressed at law. Neither can it be said to create a strict moral obligation, since the master who pays the bare week's wages has done all that his contract binds him under sin to do. How, then, can we speak of merit of the kind described as real merit, effective merit, merit that does a man good? The answer is:—Though merit of this kind does not impose a strict obligation of reward, yet it *loads the dice in our favour,* for it gives us some title to reward—the title not of a strict or perfect right but of imperfect right; and in *most cases the result of* such imperfect right is that we probably shall get our reward. For most masters are grateful, and consequently most masters would have to steel their hearts in order to resist the claims of faithful servants to some suitable reward. Merit *de congruo* is, therefore, a reality which has its effect in actual life, and, therefore, it has a right to be considered in a work on Ethics.

(2) CONDITIONS OF MERIT

Merit requires (1) that our act be free, for it is a relation of Justice and, therefore, a moral or human and free relation, (2) that that which we merit be not already due to us on another score,* (3) our act must do good to him with whom we merit.

*Only in this sense can we accept the condition mentioned by some Scholastic writers that a meritorious act must not be the result of contract. Curiously enough Hobbes expresses the view that all merit requires contract.

(3) WITH WHOM CAN WE MERIT ?

(1) We merit with other men who benefit by our acts, which is merit in its strictest sense, for all merit is a relation of Justice, and Justice, properly speaking, obtains only between equals.

(2) We can merit with Society, and in two ways. First, we merit with Society by every good that we do to individual men (even to ourselves), for that which does good to the part benefits also the whole of which it is a part. Secondly, we can merit with Society by the good which we do to Society itself directly.

(3) We can merit with God, because a good act is referred to God as our final end, and redounds to God's honour—which is a cause of merit. A bad act is to His dishonour, and, therefore, he can punish us for it. Again, any act that merits with Society merits with God, who is its Supreme Ruler. But since there can be no strict right against God, no man can merit with God *ex rigore Justitiae*. But we can merit with Him according to the two aspects of merit called respectively *ex condignitate* and *de congruo*.

(4) SOME ERRONEOUS VIEWS ON MERIT

The views which we shall here discuss are three :—

(*α*) Leslie Stephen's theory that merit implies effort, and therefore an element of disagreeableness to ourselves in the work that we do.

(*β*) The same author's contention that merit attaches only to works of supererogation.

(*γ*) The theory of Martineau and Shaftesbury that merit and virtue are in inverse ratio.

(*α*) Every action implies some effort,* and since merit attaches to action only, merit necessarily supposes some degree of effort. But the theory of Leslie Stephen is that merit implies the overcoming of an opposing desire, and that it, therefore, implies a special degree of effort

* Sidgwick remarks that, according to this theory, were there no free will in the world all acts would be equally meritorious, since if there were no free will there could be no effort.

which is not required for action as such. It is to this theory that we here take exception. Merit is a relation of Justice, and as a man must pay me for goods that I sell him, whether the selling of these goods be disagreeable or not, so merit depends on a good done to another, and it arises whether the doing of such good is disagreeable and requires effort or is agreeable and does not require effort.

But though effort in the sense explained is not required for merit, it is nevertheless a criterion of degree of merit. To do a good act which is disagreeable to ourselves is more meritorious *ceteris paribus* than to do one which is agreeable, for in doing a disagreeable thing there is greater will-activity—there is the doing of the good act and the overcoming of an opposed desire—and greater will-activity merits more than less will-activity, just as two actions merit more than one. Effort, then, though not an essential of merit, can be a criterion of degree in merit.

(β) Another erroneous theory is that of Leslie Stephen, that merit belongs exclusively to works of supererogation,* and that consequently acts which to-day are meritorious because there is no moral necessity to do them, may in a thousand years be devoid of merit since in the meantime they may become our duty. Now, this principle does not hold true always. The man who wins a race has merited the prize, even though his master compelled him to enter for the race, thereby making the race a duty; consequently, merit may attach to works which are not of supererogation. But in many cases of merit *de congruo* this principle does apply.

(γ) The third theory that merit and virtue are in inverse ratio is connected as a result with the theory that merit implies effort. Aristotle says that to the truly

* Martineau distinguishes *merit* and *desert*. The former implies that the work done is one of supererogation. The latter makes no such implication. Kant maintains that if the obligation to do a thing be perfect obligation, we cannot merit by our act, so that merit attaches to imperfect obligation only. Leslie Stephen compares virtue to *value in use* or intrinsic value, which is constant; merit to *value in exchange*, which is subject to variation.

virtuous man virtue is necessarily pleasant, from which some modern Ethicians conclude that the more virtuous a man is the less effort he has to make in order to do good, and, therefore, the less the merit attaching to his acts.

Now, Aristotle's principle does not justify this conclusion. For (*a*) even though virtue makes good action easy, still virtue itself is often acquired with difficulty, and hence the virtuous man may have had to make efforts to be good.* (*b*) In estimating merit regard must be had, not merely to the effort used, but to the good will of him who does the good act, it being possible, for instance, that a strong man who lifts a fainting person in the street may merit as much as the weak man who does the same; for the strong man might be quite as willing to give the same help that he now gives even if it cost him more than it now does. Consequently, it is not fair to the virtuous man to belittle the merits of his acts because of his finding it easy to do good. The virtuous man does good, not because he finds it easy, but because it is good, and he might still do the good even though he found the "good" difficult.

Hence, this principle of inverse ratio is not absolutely true. But there is in it a certain element of truth that must be taken into account in estimating the merit of actions. Of two men, one of whom is born with a ten-

* This point recalls Prof. Dewey's treatment of an analogous question—namely, how we are to reconcile the theory that to the virtuous man virtue is easy with the apparently opposed view that virtue supposes struggle, that virtue is the moral disposition in the struggle with evil. Dewey's attempt at reconciliation consists in explaining that the virtuous man is one who *has had* his fights, and who now finds virtue easy as a consequence of his fights.

Prof. Simmel gives a similar solution of the same difficulty, and illustrates his theory by an example taken from the art of Music. We admire, he tells us, the virtuoso who plays without Music, on account of two things—the ease with which he plays a difficult piece and the evident fact that his present proficiency is the result of much past labour.

On this analogy with which Simmel illustrates his theory of virtue and merit, we would remark that though we admire the present proficiency of the artist, and though we regard that proficiency as a proof of high artistic ability, we do not regard his supposed long hours of labour as evidence of high ability. Were we sure that his present proficiency was secured without labour, we should admire his ability all the more.

dency to drink, the other without such tendency, the former generally merits more through his subsequent sobriety than the latter, because his sobriety costs him more.*

The theory already mentioned that merit implies effort and struggle introduces us to another kindred theory, that "*moral good* always implies struggle"—a view of moral goodness which we may be allowed to criticise briefly here, though its bearing on the question of Merit is indirect and remote.

In explanation and defence of this theory that virtue always implies struggle against certain opposing tendencies, Professor Royce quotes Hegel's jest about the schoolmaster who considered that he was teaching his poor pupils virtue when he exhorted them not to cherish in their breasts the ambitious passions of an Alexander and other great men of history whom there was no possibility that they should ever imitate, and whose ambitions, therefore, they could have no wish or temptation ever to emulate and no difficulty in avoiding. And Professor Royce illustrates his theory by examples from the Science of Biology which represent life as maintaining itself by the struggle of opposing elements. "Every function," he writes, "depends upon a corresponding deficiency." "Living . . . is constant dying." His conclusion is that moral good must consist in the overcoming of its opposite, which is the temptation to evil. To the evident objection that his illustration from Biology proves too much, since if good is the union of opposites then no man could be actually good without committing actual evil, Professor Royce replies that "active disease is no part of the life of a healthy organism," and that, so, actual evil is not necessary to good, but that yet the warding-off of possible evil is not only compatible with "good," but is a part of and necessary to "good."

Our criticism of this theory—the theory that as life

* We are here speaking of merit in the natural order only. The question of supernatural merit would be treated quite differently by us.

and health consist in overcoming disease, so moral goodness consists in the struggle against evil—is that not only is active disease no part of a healthy organism, but a healthy organism may exist without experiencing even the tendency to disease, and consequently if the analogy of Ethics with Biology is to be maintained, moral good does not necessarily imply any tendency to or struggle with evil. The analogy of inoculation is sometimes used in support of the theory we are now considering. But applied to Ethics such an analogy is misleading and erroneous. No doubt it is a good thing to inoculate bodies, and thus produce artificially a struggle with disease in order that the body may be able to resist this same disease more effectively if it should appear later. But were we sure that disease would not appear later we should not inoculate the body, and we should not consider it necessary or even useful to do so. So a person may be highly moral who has had no struggle with evil, for evil is no necessary part of our moral constitution. Hence, struggle is not an essential of moral goodness. We admit, however, and this is the only element of truth in Professor Royce's theory, that if a man were thrown into the necessity of struggling against evil tendencies, and were successful in his struggle, he will, as a rule, be all the stronger and more virtuous for his victory.

But this theory has also a practical bearing which we must consider. Some philosophers have actually taught that since there can be no virtue without risk and struggle against temptation, it is irrational to shun the risk and the temptation. Milton's diatribe against what he calls "cloistered virtue" * is an example of such teaching. Professor Royce's attack on that virtue as "cheap" which has never been in danger shows a similar tendency.

Now, this teaching is both illogical and dangerous. It is *illogical* because it supposes that goodness has not a value in itself, that the whole value of good action con-

* In his "Areopagitica."

sists in the overcoming of evil. This we cannot allow. Virtue has a value all its own, not a money value indeed, but a moral value—a value that is very much higher than that of riches. And having a value in itself it should not be called "cheap," because it has not been in contact with evil. Nowhere in his work on Morals does Professor Royce speak of that health of body as "cheap" which has never been in the vicinity of sickness, nor of those riches as "cheap" which have never been nigh to being lost. Why? Because these things are valuable in themselves. Physicians and Ethicians would not recommend the exposing of a beautiful face to the danger of being disfigured, nor consider it less beautiful because it is kept out of danger; nor would they recommend going into the fever centres in order to overcome the danger of fever; neither do they consider it a good thing to tempt people to drink in order that they may become proof against intemperance. Why, then, should it be irrational to shun temptations to evil, or why should virtue be derided because it has not been in contact with evil? We repeat—virtue has a value on its own account, as much so as the beautiful face or bodily health, and it should be guarded from temptation or danger as far as is compatible with our duties to God and to humanity, just as anything of great price would be.

This theory is also, as we said, a *dangerous* theory. For it is a dangerous thing to set a value on temptation in any shape or form. Temptation, even if overcome, does not always add to our moral strength. If temptation were necessarily a source of strength, then the longer a temptation continues and is resisted the easier we should find it to overcome temptation. But we know that the opposite is the case. The man who resists for half an hour may fail in the end through "moral exhaustion"; and from this we may rightly conclude that temptation, even resisted, is not, as such, a source of moral strength. Consequently it ought not be represented as necessary to virtue.

But temptation overcome, if it is not necessary to virtue or moral goodness, is always a title to greater merit, a fact which may serve as an excuse for introducing the question of "temptation and virtue" into the present chapter.

(*b*) On Demerit and Sanction

(1) As reward is the correlative of merit, so punishment is the natural correlative of demerit. In its relation to Justice demerit differs from merit in one important particular—namely, that merit is *not always ex rigore justitiae,* whereas demerit always is. No man can punish me unless he has the strictest right in justice to do so. With this exception, demerit and merit, and consequently punishment and reward, follow exactly the same laws, and are built upon the very same foundations. Merit is the right to have restored the natural equilibrium of possessions * which I have freely disturbed at my expense *and in another's favour.* Demerit is the necessity created by my action of having restored the natural equilibrium of possessions which I have disturbed in violating the right order of Justice in regard to these possessions.

We will illustrate these definitions by an example. The man who helps another in distress enriches that other and loses some part of his own possessions. The man who steals from another enriches himself and deprives another of his possessions. Merit is rewarded by the paying back of something in recompense for what has been given. Demerit demands a similar recompense. But how and in what measure is evil to be compensated? The answer to this question introduces us to the conception of punishment. Let us take stealing as an example of an evil act. Naturally, the first thing to be done in the case of demerit arising out of stealing is to restore the stolen goods. But this is not enough, nor does it satisfy the requirements of Justice. For not only has the robber unduly taken the material goods which he

* By "possession" we mean any good thing owned by another—not necessarily material possessions.

has stolen, and which he is now willing to restore, but he has also secured an undue and ill-gotten pleasure—the pleasure of possessing other people's property—*and he has secured that pleasure at the expense of another.* And just as all ill-gotten goods have to be restored before Justice can be fulfilled, so also an ill-gotten pleasure has to be given up—that is, has to be neutralised in some way before the order which has been violated is restored, before justice is fulfilled. But pleasure can only be neutralised by corresponding pain, and hence all Moral evil merits pain. This is the essential element in punishment—the infliction of pain upon a man for ill-gotten pleasure—a pleasure unduly received at the expense of another.* That other is either God, or Society, or an individual man, for all three have rights which may be offended.

Punishment, therefore, is primarily and essentially retributive in its character—that is, its effect is retrospective not prospective, and whatever other function may belong to punishment such function depends upon and presupposes the retributive or retrospective function.

(2) *Punishment as emendatory.*

A good government in inflicting punishment will always have before its mind's eye not only the restoration of Justice but also the good of the individual who is punished. Government, indeed, could not inflict pain on an individual *merely* for his own good. But granted that a person has already put himself in the power of government so that it becomes a right of the government to punish him on account of some crime, it is then the right as well as the duty of government so to choose the kind of punishment to be administered as to secure not only justice but the personal improvement of the offender. Punishment regarded in this latter way is known as *emendatory*. And it will be evident to the reader that, as emendatory, and, therefore, as prospective, punishment always supposes the retributive or

* M. Guyau, therefore, errs in maintaining that if punishment were not emendatory it would be as blameworthy as the crime. The restoring of Justice cannot be blameworthy.

retrospective element, and would be unjust without such element. Emendation, therefore, is neither the primary nor the exclusive element in punishment.*

The opposite view, that punishment is primarily and essentially emendatory and deterrent,† has been expressed by Sidgwick and many other philosophers (principally belonging to the deterministic school). Some of these even regard this "prospective" view as implied in the conception of duty. "It is maintained," writes Sidgwick . . . that 'ought' implies 'can,' and in a certain sense the Determinist will agree to the contention because a man should be able to do what he ought do. But if he is not able to do this his inability arises from want of sufficient motives, and it is precisely this want of sufficient motives that punishment" (emendatory punishment, of course) "is meant to supply." Again, to the argument of Libertarians that free will is necessary to merit and demerit, and, therefore, to sanction or punishment, he replies that punishment is not retributive but "reformatory and deterrent," and he adds that this is "the more practical view and the one towards which civilisation—quite apart from the free will controversy—seems on the whole to tend."

Against this view that punishment is essentially emendatory we urge the following arguments:—

(1.) In the popular conception (and we see no reason for thinking that the popular conception is here at fault) punishment is always retrospective in its character. It is always regarded as inflicted on account of crime. No one would call it punishment were a father to give his child too much drink in order to make him sick, and thus inspire his child with an early hatred of drink. Nor is the use of the surgeon's knife regarded as punishment even though it saves a person from death.‡

* For Butler's theory of punishment see page 197.

† Some distinguish "emendatory" and "deterrent." "Emendatory" is used in reference to the individual punished, "Deterrent" in reference to the rest of Society which the infliction of just punishment always deters from the pursuit of crime.

‡ It is conceivable that a Medical man might even *intend* the pain in order, let us say, to keep the person in a state of wakefulness. Yet such pain would not be regarded as punishment.

(II.) Punishment must always be proportioned to the crime. Were the emendatory end primary, punishment should be proportioned not to the crime but to what is necessary for the improvement of the criminal.

To this second argument the advocates of the "emendatory" theory offer two replies *—(*a*) The improvement of the criminal could only be secured by our proportioning the punishment to the crime. For if punishment were not proportioned to the crime it would not appear as inflicted on account of the crime, and then the punishment would not deter the criminal from repeating his crime. (*b*) Punishment is not always proportioned to the crime. For the same deed a known criminal is punished more severely than a first offender.

Our reply is—(*a*) Were the improvement of the criminal the primary end of punishment it would be possible to secure this end even though punishment were not proportioned to the crime, provided that it was inflicted *on the occasion* of crime. And, therefore, our argument stands that whereas punishment is always proportioned to the crime, it is evident that improvement is not regarded as its primary end.

(*b*) First offenders are treated more leniently than well-known criminals, because they are regarded as less guilty, the presumption being that they have been hurried into the doing of evil, and that they are not fully alive to the consequences of their action.

Again, though we claim that punishment is proportioned to the crime committed, we do not say that it is always *strictly* proportioned to the crime, for punishment is emendatory as well as retributive, and hence a small margin is always left for purposes of improvement. And, therefore, since the first offender is the more easily reclaimed the punishment is lighter.

Again, an offence repeated is graver in its consequences to the community than one which is committed for the first time. For crime is contagious; and always

* Reply *a* concerns the second portion of argument II.; reply *b* concerns the first portion.

tends to spread in proportion to the extent to which it is repeated. A first offence, therefore, is, *ceteris paribus*, not so grave as a seventh or an eighth, and hence it is not punished so severely.

(III.) Our third argument against the theory that punishment is primarily emendatory is that on such a theory it would be useless, and, therefore, immoral, to punish a hopeless recalcitrant. But even the hopeless recalcitrant must be punished. Therefore, the emendatory theory is not true. This third argument, combined with our second, yields us the following strong case against the deterrent theory:—Even if emendation were possible only by the infliction of very grave punishment such punishment could not be inflicted unless the crime committed were also grave. On the other hand, a grave crime may be punished very severely even though emendation be regarded as wholly impossible. Hence, punishment is inflicted on account of crime committed, and not primarily with a view to emendation.

To this last argument it may be objected that a hopeless recalcitrant might be punished on the *prospective* theory as a means to preventing others from wrong-doing, for punishment may be deterrent as well as emendatory. And we fully admit the force of this answer in so far as it favours the deterrent theory. But we do not consider that punishment as deterrent could stand alone. It could not be right to inflict punishment on any man *simply* for the sake of others. Personal pain presupposes either personal guilt or the possibility of personal improvement; and since in the case considered improvement is out of the question, we cannot agree that punishment could be inflicted unless punishment be mainly retrospective.

This concludes our case against the theory that punishment is primarily prospective—*i.e.*, is either emendatory or deterrent.

CHAPTER XVIII

OF HABITS AND VIRTUES

MEANING OF HABIT.—In its widest meaning "habit" is any quality in an object which increases or diminishes its perfection. Thus, beauty, strength, virtue are habits. Also ugliness, weakness, vice.

In this wide sense habits are divided into *entitative* and *operative*—the first class being those habits that perfect or impair the substance of a thing, the second class of habits being those that perfect or impair a thing in its powers. Thus, beauty is an entitative habit. Virtue is an operative habit.

Now, since Ethics has principally to do with action, we are as Ethicians interested in operative habits only. In this sense habit properly defined is—any quality whereby an agent who is by nature indifferent to a certain course of action or to the opposite course comes to be permanently inclined to one course rather than to another. In the pages that follow we shall speak of habits in this restricted sense of operative habits only.

We said in our definition that an operative habit dwells only in indifferent or undetermined powers. By this we do not mean that operative habits dwell exclusively in powers that are free, for there are some powers which are not free, and which yet, not being determined to one way of acting, can admit of operative habits. Thus, animals can be trained by different methods to move in different ways, and any permanent tendency got by training to move in a particular way is an operative habit. But, in its fullest sense, habit dwells in free powers only, because only the free subject is undetermined in the proper sense of the word.

That habit dwells only in such powers as are not determined to one mode of action is evident. For if a thing is by nature determined to one end only, and can act in only one way, any further helping of it to its end would be useless and impracticable, and it is not to be supposed that nature has made provision for the reception into our faculties of what would be useless to them in the work of attaining their end. Hence, such faculties do not admit of habits.

We have said also that operative habits are to be found above all in the free powers of man. The free powers are either the human will itself or such powers as can come under its influence. In both of these we may have operative habits. Thus, operative habits may be found in the imagination or the sensuous appetites because these powers are undetermined, and they are to a large extent under the control of the will. They are to be found in the motor powers particularly. The fingers, for instance, may, through practice, tend to assume a certain succession of positions in order to the production of successive musical chords. This tendency of the fingers is a habit, and good piano playing will depend to a large extent on the perfection of such habits, for through them come facility, and evenness, and good tone in playing. But it should be remembered that habits dwell rather in the faculties that move the organs than in the organs themselves, for it is only in so far as the organs are under the influence of the motor *faculty* that they can be affected by habits at all. Thus, the habit of piano-playing dwells in the motor power or faculty rather than in the material fingers themselves.

Can there be operative habits in the intellect? At first sight it would seem as if there could not, for the intellect is determined to a single object—namely, truth—and it can no more help assenting to a proposition which is seen to be true than the eye can help seeing visible objects. It would seem, therefore, that in the intellect there is no room for operative habits, the function of which would, of course, be to aid the intellect to assent—

an aid which apparently the intellect does not require. Yet in spite of this difficulty we maintain that the intellect does admit of operative habits, for the subject of habits need not be free. It is sufficient that it be by nature "in potentia ad plura"—that is, not determined to one effect. But the intellect is not determined to one effect. It can be determined in diverse ways and is capable of many different acts. Thus, not all men are moved to think or assent by the same influences, nor do all intellects reach the same thought. Therefore, the intellect is capable of receiving habits.

But not only is the intellect not determined by nature to one effect, it is also in many of its acts even free, as the Scholastics say, by participation. For to a large extent the intellect is under the control of the will, which can actually make a man assent to a proposition in cases in which, on the mere objective evidence, the intellect would withhold assent—*i.e.*, we can force ourselves to believe many things even though they be not evidently true. Hence, the intellect is movable by a free power and admits of habits.

Habits are either *natural* or *acquired*. In common parlance we limit the term "habit" to *acquired* habit; and often define it as "a faculty afforded by repeated action." But some habits are natural, and even when a habit is acquired some part of it is often natural. This distinction is of some importance in regard to the question of the merit attaching to certain habits.

(*a*) On Virtues and Vices in General

Virtues and vices are operative habits * because they move the will directly to certain acts. They dwell only in the higher powers of the soul, and when *perfect* they dwell in free powers only—that is, in powers that are either free in themselves or free as under the control of the free will. An imperfect virtue may dwell in powers that are not free in either of these two senses. *Perfect* virtues are those that not only give a man the power of

* Virtue has been defined as "habitus operativus bonus."

acting well, but also actually impel him to act well, or which not only give him the power of using his faculties aright, but also incline him to use them aright. Thus, perfect virtue, or virtue in the fullest sense of the term, is defined—"quaedam qualitas mentis, qua recte vivitur, qua nemo male utitur." An *imperfect* virtue is one which "gives a man the power to act aright, but does not incline him to act aright." As we said, a perfect virtue always dwells in a free power—that is, a power which is either free itself—namely, will—or a power which is under the control of freedom, whereas the imperfect virtues, although operative habits, may be in a power over which free will has no control, or, at all events, they can be in such a faculty irrespective of any influence which it is in the power of the will to exercise over it. In this latter sense imperfect virtues are to be found in the speculative Reason—*i.e.*, they are there irrespective of its control by will.

These imperfect virtues dwelling in the speculative Reason are three—namely, Wisdom, Science, and Intellect. WISDOM is the knowledge of conclusions through their *highest* principles or causes. SCIENCE is the knowledge of conclusions through their immediate causes. INTELLECT * is the knowledge of the first or highest principles themselves. These virtues dwell in the speculative intellect. They are operative habits because they give us a power of doing; but they do not *impel* or *incline* us to do. Hence, they are not perfect virtues, but imperfect. There is one other imperfect intellectual virtue, and it dwells not in the speculative but in the practical intellect—namely, Art. Art, like the other imperfect virtues, gives a man the power of doing the good thing, but it never inclines him to do it. It

* Intellect in this sense of a habit or a speculative virtue is to be carefully distinguished from what is usually called the faculty of intellect, which is the same ground faculty as Reason or the ordinary rational faculty.

The reader should not be surprised at our present broad use of the word "virtue." It is only custom that has limited the word to what are known as the moral virtues, of which we are soon to speak. We are here following the stricter philosophical usage.

enables a man to produce the beautiful effect, but it does not make him produce that effect, nor does it necessarily incline him so to do. Thus, it differs from Prudence and from the moral virtues of which we shall presently speak, for these are all perfect virtues.

Now, whereas an imperfect virtue merely makes a man capable of doing a good work, a perfect virtue actually makes *a man good himself*, since it inclines him to the good work, and from this difference between the imperfect and perfect virtue there arises a twofold distinction between Art, on the one hand, and Prudence and the Moral Virtues on the other—namely, (*a*) first, that Art has nothing to do with a man's love of the good work but only with the outer work itself, whereas the primary effect of the other virtues is to set up in a man a good attitude towards his work, to make him love it. Thus, he is quite as much an artist who hates sculpture as he who loves it, provided both can make good statues. But he is not a temperate man who does not love temperance, nor a prudent man who does not love to do the prudent thing. Again, (*b*) were an artist knowingly and willingly to paint a faulty picture, it is not his Art that is blamed for it but his bad will, whereas, if his error is unconscious and unwilling, it is his Art that is brought to task and criticised. In the case of the moral virtues the opposite is true. He who does wrong knowingly is without these virtues, whereas he who does wrong unconsciously may possess these virtues to a high degree.

Thus, Art is judged by the perfection of a man's work alone, by what he produces, and not by his attitude towards his work, and hence we define Art as the "recta ratio factibilium." But Prudence, which, being a perfect virtue, concerns a man's attitude towards his work, is defined as the "recta ratio agibilium"—a definition which will be explained presently.

But just as there are imperfect virtues in the speculative and practical Reason, so also there are perfect virtues, but with this great difference, that whereas the perfect virtues depend on the fact that intellect is under

the control of the free will, the imperfect virtues are independent of this control. In the speculative intellect we have the supernatural perfect virtue of Faith, which is an assent of the intellect under motion of the will to revealed truth. Faith depends to some extent on will, for, to make an act of faith, the intellect has to be moved by will to assent. Faith, then, is the perfect virtue of the speculative intellect; but in Ethics it does not concern us, because Ethics deals only with the natural virtues, whereas Faith is supernatural. The only perfect virtue of Intellect considered in Ethics is Prudence.*

(*b*) On Prudence

(1) Prudence we have already defined as the "recta ratio agibilium," by which we mean a virtue of the Practical Reason which not only enables a man to know in concrete circumstances what means are best to take to a good end, but also inclines a man to take these means with promptitude and precision. Prudence resides in the intellect, not in the will, for its acts are intellectual acts. By Prudence we *enquire* about, *examine* or judge, and *direct* ourselves to the adoption of the proper means to an end desired, and since these are all acts of the intellect, Prudence is a virtue of the intellect—that is, of the practical intellect, since it appertains to action or ends. Its acts are three-fold, as we said—enquiry, judgment, and command (consiliare, judicare, praecipere); but its principal act is command—that is, the *moving* of a man to take the means. He who knows the proper means, but is not moved to take them, or is slow and indifferent about them, is just as imprudent as he who entertains a project but does not know what means to take to its accomplishment. And the means with which Prudence deals are not necessary means but contingent

*To aid the reader at this point we give the list of Intellectual virtues briefly thus:—In the speculative intellect there are the three imperfect virtues—Wisdom, Science, and Intellect—and one perfect virtue—Faith—which, being supernatural, Ethics does not consider. In the Practical Intellect there is one imperfect virtue—Art—and one perfect virtue—Prudence. But none of these are moral virtues; moral virtues dwell in the appetites only.

means—that is, Prudence deals with cases in which there is a plurality of ways of gaining our end, "in quibus non sunt viae determinatae perveniendi ad finem." From this it follows that only rational beings are prudent, since only rational beings have a choice of means to ends.

From all these characteristics of Prudence we see that it is a special virtue and distinct from all the other virtues. It differs from the moral virtues or the virtues of the will, because it resides in a distinct faculty—namely, the practical Reason—and it differs from the virtues of the speculative intellect, because its formal object is different—the speculative virtues deal with necessary laws, Prudence with contingent laws. It differs also from Art, although Art resides in the same power as Prudence, and, like Prudence, concerns what is contingent; for, as we have seen, Art deals with products (factibilia), Prudence with operations * (agibilia).

It is important that we should determine how Prudence stands related to the other virtues. We said that Prudence appertains to the means by which we are to gain our end, and that he alone is prudent in the fullest sense who not only knows the means that lead to the final end, but is moved to take them. And in this way Prudence is necessary for all the moral virtues. For the moral virtues move to the final end, and Prudence indicates the means to that end and moves to their adoption. It is necessary to the other virtues for another reason—namely, that without it the other virtues cannot secure the *mean* of virtue. For we shall see later that every virtue consists in a mean between extremes. But this mean, when translated into terms of action, is found to consist in the proper use of the things that lead to our end—"per rectam dispositionem eorum quae sunt ad finem, medium invenitur." Now, if the same things

* Of course, as controlled by mind. Art refers to the external thing only. A dance is *artistic* and graceful as external movement, and in speaking of grace of movement we speak of the outer effect only. But Prudence refers principally to inner movement. We do not speak of a man as prudent unless his act was *purposefully* directed to a good end.

led always and in all circumstances to the final end—*i.e.*, if the mean of virtue were the same for every man—then each virtue would of its own nature assure the attainment of the mean of virtue, and in that way Prudence would not be necessary for attaining the mean. But the mean of virtue is not the same in all circumstances, and hence the necessity of the virtue of Prudence to indicate the right and proper course in individual cases. Without Prudence, therefore, the moral virtues themselves could not keep the mean; for instance, without it fortitude would turn to rashness, and temperance to insensibility; for it is not in the conception of his end that an over-temperate man sins, since his end is to make sense subordinate to Reason; he sins in not using the right means to this end—that is, he fails for want of Prudence. Prudence, therefore, keeps a man right in the use of the means in the case of each virtue, and so Prudence is a necessary condition of every virtue. But if Prudence is necessary to the other virtues so also the other virtues are necessary to Prudence, because a man is not moved either to enquire about or to adopt the right means to the end unless he desires the end, and since the desire of good ends is effected by the moral virtues, so without the moral virtues a man cannot rightly be called prudent. However, this law of connection between Prudence and the other virtues holds, properly speaking, only for the ordinary moral virtues—that is, those which are required in ordinary circumstances; so that a man could be prudent whilst yet he is not *actually* possessed of such high virtues as those of magnificence and magnanimity. Nevertheless, a truly virtuous man will be found to be generally possessed of these virtues to some extent, or at least of such virtues as would on a little cultivation easily rise to the level of magnificence and magnanimity did the proper occasion present itself.

Modern philosophy has done much to bring the virtue of Prudence into contempt by representing it as exclusively a selfish virtue—a virtue by which each man seeks to secure his own greatest happiness. But Prudence no

more exclusively concerns the individual happiness than do the other virtues. For, there is a Prudence that prescribes the right means to the family good or general good, as well as that which secures one's own personal good. In other words, Prudence may be *economic* and *political* as well as "monastic" (in the Scholastic sense meaning "individual"). However, when used without qualification, the word "Prudence" ("Prudence" simply) has always been understood as appertaining to the individual good only.

We have said that he only is prudent in the full sense who seeks the means that will lead him to his final end. The man who indulges in evil courses may, indeed, be *astute* in discerning the means that best help him in his designs, and such astuteness is sometimes called Prudence. But such a habit of mind is really only the semblance of Prudence since it does not concern our final end, or rather since, while leading to the attainment of lesser ends it often leads to the total loss of our principal and final end. But there is an astuteness which has something in it of Prudence, but yet in so far as it is identified with Prudence is Prudence of an incomplete kind only. This lesser kind of Prudence is two-fold—first, there is the Prudence that helps to the possession of the proper means but does not move us to their adoption; secondly, there is the Prudence that moves to the adoption of the means to ends which, though good in themselves, are yet not sought as leading to the *final* end. Thus, there are prudent business men, prudent navigators, prudent soldiers, all of whom may seek good ends without conscious reference to the final end. The prudent *man* is he who in all things seeks the right means to his last end.

(2) *The parts of Prudence.*

The parts of a virtue are three-fold—integral parts, subjective parts, and potential parts.

Integral parts are those qualities of mind that concur to make up the complete virtue, in the same sense that the parts concur to make up a house. *Subjective* parts

are the various subordinate species of a virtue or the kinds of virtue into which a certain virtue can be distinguished, in the sense that houses are distinguished into stone and wooden houses, round and square. *Potential* parts are certain annexed virtues which concern certain secondary objects that have not the same importance nor are so difficult of attainment as the object of the principal virtue. The INTEGRAL parts of Prudence are enumerated by Aquinas, following Aristotle:—The requirements of Prudence, in so far as it is a *cognitive* virtue—that is, in so far as it merely *indicates* the right means—are five—namely, *memory*, *Reason*, *intellect*, *docility* (or the power of acquiring a knowledge of the right means from others), and *conjecture* (solertia, or the power of rapid personal perception of the right means). Again, the requirements of Prudence, in so far as it is *preceptive*, or moves to the adoption of the means, are three—*providence*, or the adoption of the essential means; *circumspection*, which considers the circumstances; *caution*, which guards against impediment and opposition.

The SUBJECTIVE parts of Prudence, or its main divisions, will correspond with the principal classes of those whose good it seeks. As we have already pointed out, these principal kinds are *prudence simply* (which concerns the individual good), *economic* prudence, and *political* prudence.

The *potential* parts of Prudence, or its annexed virtues, are three. They have reference to certain subordinate acts belonging to Prudence. The principal act of Prudence is, as we saw, that act of command which *moves* us to the adoption of the proper means. But this act is itself preceded by two other subordinate acts—namely, *counsel*, or the setting about the enquiry as to what means will lead us to our end, and *judgment*, or the weighing of this means—that is, the formation of sound practical judgments on the means. This can be done either by reasoning from practical principles or by following our own good sense when, on account of the

peculiarity of the case, there are no commonly admitted principles to go by. These three acts imply the three annexed virtues, to which philosophers have given the names Eubulia, Synesis, and Gnome.

EUBULIA moves a man to the enquiry what means will lead to the end. Now, once moved to this enquiry, some men are capable of a good practical judgment in ordinary cases in which there are commonly admitted principles to go by, which is the virtue of SYNESIS. But men who are capable of a good judgment in ordinary cases would be wholly at sea in dealing with out-of-the-way or uncommon cases to which the general principles of prudent action do not apply, and the prudence which comes into play in such cases is of a much higher order than that of Synesis, for it judges by higher principles and it involves a certain "perspicacity of judgment" (perspicacitas judicii) which in ordinary cases is not required. To this virtue which guides a man in abnormal circumstances is given the name of GNOME. All these are annexed virtues or potential parts of the intellectual virtue of Prudence. We now go on to speak of the Moral virtues.

(c) THE MORAL VIRTUES

(1) *The Moral virtues compared with Prudence.*

Like Prudence, the moral virtues are perfect virtues, but unlike Prudence they dwell not in the intellect but in the appetitive faculty of the will. Being perfect virtues, the Moral virtues are essentially conative habits—that is, their function is to incline one to the attainment of ends.

Prudence, therefore, having nothing to do with ends as such, but only with the proper use of means, is not, rightly speaking, a moral virtue, but it is moral by participation, in so far, namely, as it is a necessary element in every virtue, for, as already explained, without Prudence there can be no moral virtue. We saw that the reverse of this proposition is also true—without the moral virtues no man is prudent. A man may be astute in taking the proper means to certain ends, but if such

ends lead him away from his final end, the so-called prudent man is the least prudent of all. Better the foolish man who, through very foolishness, may miss his way and fail to realise his evil purposes, and so may be by chance brought to a right life, than the so-called prudent man who, if once he sets his mind on evil, is certain to achieve it. Again, Prudence cannot of itself control the passions. The control of the passions is the work of the moral virtues. But passion uncontrolled makes Prudence impossible, since passion tends to blind the intellect and Prudence is a virtue of the intellect. Consequently, without the moral virtues we cannot be prudent, just as without Prudence there can be no moral virtue.

(2) *The Moral virtues compared with knowledge and passion.*

Since the moral virtues reside in the will it follows that they are essentially inclinations of the will to some end. They are, therefore, quite distinct from knowledge or mere intellectual ideas. They cannot be acquired by teaching or by mere study, but only by practice or direct infusion from a higher Power. Some ancients taught that virtue could be acquired by teaching, the reason of their doctrine being that they identified all virtue with knowledge. But all virtue is not knowledge, and the wise man is not the only virtuous man. The moral virtues presuppose knowledge, but they are essentially habits of the appetite.*

Now, as moral virtues residing in the will are necessarily distinct from the intellectual, so also they are dis-

* The Socratic theory that all virtue is knowledge, and is, therefore, teachable, and that all vice is due to ignorance, is to be found in the writings of a good many modern philosophers. Thus, Fichte writes—"If we had a clear idea of duty we should do it, for to clearly conceive is to require of myself to do." To which we answer—"Clearly to conceive" is to "require of myself to do" in the sense of "seeing that that I ought do," which is not the same as "inclining to the doing of duty." Only the moral virtues incline us to do what we clearly conceive to be our duty. Fichte's argument is meant primarily to show that evil action is due to ignorance. But we have seen that though evil action does presuppose a certain blinding of the intellect to the evil of the action, still this same blinding is voluntary and conscious, and it does not really make us ignorant of what we do.

tinct from the passions, since the passions reside in the sensitive appetite. Moral virtues also, indeed, reside in the sensitive appetite, but only in so far as the sensitive appetite comes under the control of the will. But the passions reside in the "sensitive" as such—that is, as independent of the will. A man driven on by furious passion is passionate in so far as he is a creature of sense. He is temperate in so far as these same passions are made subject to Reason and the will. Between the moral virtues and Passion there is also this difference, that passion is morally quite indifferent—that is, may be turned to good or evil use—but virtue is always good in itself, and can never be for evil purposes—"qua nemo male utitur."

(3) *The objects of the moral virtues.*

Some of the moral virtues are intended directly to control the internal passions, others to regulate our external acts. For moral goodness sometimes consists in a relation between the agent and his act, and sometimes in the external act itself. In the former case the end of virtue is the controlling of the passions, in the latter the regulating of the external act. Thus, temperance controls the inner passions and only indirectly concerns the outer action. The man who, thinking he is drinking water, really drinks spirits, and consequently gets drunk, has committed no offence against the virtue of Temperance. Temperance, then, has to do with a man's relations to his acts—*i.e.*, with his internal feelings and passions. It is the same with Fortitude. But Justice regulates our external acts directly, and only indirectly concerns the inner passions. For in acts of justice there is always the "ratio debiti ad alterum," and that can only have reference to our external acts.

(4) *The mean of the moral virtues.*

The end of virtue is to perfect the will. But the will is perfected by conformity with the law of right action. Hence, law is the measure of virtue. Now, we can violate a law in either of two ways—either by excess or defect, either by exceeding in the doing of that which

the law ordains or by failing to come up to its requirements. Thus, the law which binds us to eat in order that the body may be maintained can be violated either by eating too much or too little. Between the two extremes of defect and excess lies the *mean* of the moral virtues.

Now, the proper measure of the mean of virtue is human Reason, for the natural law dwells in our Reason. But Reason does not prescribe the same course of conduct for every variety of circumstance and character, but varies in its requirements according to individual opportunities, character, and circumstances; and, therefore, the mean of the moral virtue also varies with the individual circumstances. This is expressed by Aquinas saying that the mean of the moral virtues is determined *in relation to ourselves*, and that it is a mean of Reason, not of objects—*medium rationis*, not *rei*.

In the case of one virtue, however, it happens that the *medium rationis* coincides with the *medium rei*—namely, the virtue of Justice. For Justice appertains to action not to passions; whereas it is in relation to our passions and other subjective needs that the requirements of individuals differ from one another. The mean, therefore, of the virtue of Justice is the *medium rei*, which is the same for all men. But in the case of the other moral virtues the mean is a mean of Reason not of objects, *Medium rationis* not *rei*, and thus the law of the other virtues is not the same for one man as for another. What would be a sin in one man might be a morally good act in another. Temperance and fortitude, for instance, will always make allowance for needs and character. But the law of justice (in the case, for instance, of bargaining) is *that we pay the price of what we buy—without distinction of persons, feelings, or character*.

Aquinas remarks that besides the moral virtues the intellectual virtues are also a mean.* Now, the intellec-

*The word "mean," it seems to us, is used in reference to the intellectual virtues in a transferred sense only.

tual virtues, like the moral, are ordained to "good." But the good which is attained by the intellectual virtue is truth, according to which the mind affirms that a thing is which is, or is not which is not. Hence, the mean in the case of the intellectual virtues is their conformity to reality—excess in the case of intellectual virtues being false affirmation, and defect false negation. But in respect of this mean of truth and its relations to the virtue of which it is a mean there is a difference between the virtues of the speculative and practical intellects. For the truth of the speculative intellect is truth absolutely. But the truth of the practical intellect is truth in regard to right appetite, it being the proper function of the practical Reason to tell what is required for the satisfaction of appetite. Hence, whilst in regard to objects or reality both kinds of virtues—those of the speculative intellect and those of the practical—are *measured* by reality, since both must conform to truth, the virtues of the practical intellect are also themselves a measure and a rule. They are the measure and rule of appetites and of their proper satisfaction.

From what we have said on the mean of Reason we shall be able to understand Aristotle's definition of virtue. It is "the habit of fixing the choice in the golden mean in *relation to ourselves* defined by Reason as a prudent man would define it."

Now, as we said, the mean of a virtue is a mean which is based on the law of Reason, and, therefore, it is founded not on the exigencies of any particular moment or of any mere part of man; it is a mean in reference to our whole life and to the whole man; for the law of Reason takes account of the whole life and the whole man. Thus, the mean of liberality is calculated not on the ground of our present possessions merely, but with a view to our future needs. So also the mean in eating and drinking is not the mean which will suit our bodily welfare only, but the mean that suits our bodily and mental welfare. He who by drinking alcohol incapacitates himself for thinking is quite as intemperate as he who drinks in such

a way as to impair his bodily strength. Hence, the golden mean of virtue is never the golden mean of one faculty only, but the golden mean in the whole man and of our whole life. Consequently, since in an organism "much must be left in potentia," it being neither necessary nor good that every part of the organism be worked to the fullest extent, it follows that the golden mean of virtue does not necessarily imply the use of all our faculties, but only such use of our faculties as is necessary for human perfection. Thus, there is no law impelling each man to study mathematics or to prosecute music, or to exercise his muscles, or to continue the race (except there were danger of its disappearance). Special reasons apart, any man is free to refrain from the use of any one of his faculties, provided he uses his energies sufficiently in other ways (it is manifest that we must use our energies in some way, for every man is bound to put his life to some good account). Nay, if for any worthy reasons a man abstains from the exercise of a particular faculty, this abstention may be itself an act of virtue. Thus, some people abstain from drinking wines that thereby they may have more money for their children. Some spend their lives in study and despise all material enyjoyments in order that they may promote the ends of science. Some remain unmarried that they may be able to serve the State in some very special capacity which the duty of father or husband might render difficult, others that they may give themselves up to the service of the poor and be free to answer their "come hither" and "go thither"—a freedom which to a married man would be impossible; for the father belongs to his wife and children; and they, and not the poor, have the first claim upon his time and attention. Hence, the unmarried state is quite in accordance with the mean of virtue. And consequently, though family ties are sacred ties, and though the duties of family life must be undertaken by a sufficient number to secure the continuance and welfare of the race, still there will be always need for the larger philanthropy of those who

wish to abstain from marriage in order to be in a position to undertake those great and self-sacrificing works which only the free and unfettered man can undertake. Again, we repeat, though virtue consists in a mean, this mean is to be judged in reference to our whole life and to the whole organism. It does not imply the exercise of every power in the organism, much less does it imply the exercise of all the powers at each moment.

(5) *Enumeration of the Moral virtues.**

In enumerating the moral virtues it is important that we should select a proper basis of division in order, first, to avoid overlapping and consequent repetitions and omissions; and, secondly, in order that our enumeration may be sensible and serviceable, as an enumeration of the moral virtues ought to be.

The following is Aquinas' deduction of Aristotle's list of moral virtues. The moral virtues are of two kinds—those, namely, which have to do with our actions and those that deal with the passions. Only one virtue refers to actions—that is, Justice—and so we may proceed immediately to the enumerating of the others. Some may think that an easy method of enumerating the virtues that deal with the passions would be that of enumerating the passions themselves. But this method would not give us a true result, because the number of the passions could not possibly be the same as the number of virtues that deal with the passions. For the passions dwell in the sensuous appetite, whilst the virtues dwell in the rational appetite. It is quite impossible, therefore, that each passion should correspond to a single virtue. The passions are divided "according to their object, in relation however to the sensitive appetite," whilst the virtues are divided "according to their object, but in relation to Reason." And so it is quite possible that there should be many virtues controlling a single passion and many passions controlled by a single virtue. For instance, the single virtue of temperance controls the passion for drink, the sexual, and several other passions; whilst several virtues control the

* The reader should, before beginning this list of the virtues, be careful to understand the distinction on which so much turns in the present enquiry, between the irascible and concupiscible sensuous appetite. The second appetite tends to the enjoyment of any sensuous end. The first tends to the overcoming of the difficulties incident to any end.

single passion of delight or of hatred. The proper basis of enumeration, therefore, cannot be the enumeration of the passions themselves. But we have already indicated the proper ground of division—namely, the *objects of the passions in relation to Reason.*

The general object of the passions is the "good" of some sort; but the "good" can be apprehended either by (I.) the bodily senses or by (II.) our interior powers of perception. (I.) Now, the only bodily sense that has a special passion of its own, is the sense of touch.* There is no passion of seeing, or hearing, or smelling, or tasting, since these faculties never tend to get out of the control of Reason. But the passion of touch requires two separate virtues for its control, one to restrain it from going too far, one to embolden it to go far enough. These virtues are—*Temperance* and *Fortitude.* These two virtues have to do with outer pleasures and pains †—temperance with the pleasures of eating, drinking, &c., fortitude with the pains of the body, and death. All such pleasures and pains are pleasures and pains of touch. We now come (II.) to goods which are perceived by our inner powers alone. These are called goods of the inner man, because no outer sense can perceive them. No outer sense, *e.g.*, can enjoy honour or riches as such. These things we enjoy inwardly alone. Now, the goods of the inner man are thus enumerated. They are either (α), such as will perfect a man in himself personally or (β) perfect him in relation to his surroundings. The first of these two divisions yields us four distinct virtues, the second also four. (α) Either the *perfection that is personal* to me is a good of the body like riches, or a good of the soul like honour. If of the body, then two virtues are necessary to its proper use—first, *liberality* in the giving of what I have, even though it be small, and *magnificence* in giving out according to the measure of Reason large sums of money which naturally I shrink from parting with. The first dwells in the concupiscible appetite, which tends to hold what it has; the second in the irascible, for we tend to shrink from anything really great,‡ the "great" being always apprehended as a difficulty. On the

* The word "touch" is here used in its broadest signification.

† The virtue that enables us to face opposition and contempt of friends is sometimes called fortitude. It really is not fortitude but magnanimity

‡ NOTE.—It is evident from observation that the virtue of liberality is quite different from that of magnificence. Many rich men are liberal without being magnificent. The two classes differ not merely in degree but in their very actuating ideas. Magnificence, however, is not to be confounded with profligate liberality, for even magnificence should be according to Reason.

other hand, the good that perfects a man in himself may be a good of the soul, like honour. This, as good of the concupiscible appetite which tends to the positive securing of honour, postulates a virtue by which a man properly ambitions honour; this virtue we call "*philotomia*." As good of the irascible appetite (for nature shrinks from losing a particle of honour),* it postulates *magnanimity*, by which a man is able to fling away ambition and face dishonour for the sake of the good. This completes the list of virtues under the heading "personal good." Then (β) there is the social good. The good that appertains to my *social* nature—*i.e.*, the good which manifests itself in my dealings with other men—is either such as is yielded with a serious purpose or it is such as belongs to the lighter amenities of life, in the way of plays, jokes, music, and convivialities of all sorts. To the second belongs the particular virtue called *Eutrapeleia*, by which a man is enabled to choose out such amusements as will on the one hand make lighter the burden of life, and on the other hand not pander to man's baser nature. The first, or the serious social good, yields three virtues according as we will to do others a positive good (which is *friendship*) or to make things pleasant for them in their dealings *with us* (*affability* or meekness), or merely to express our thoughts to them in a due manner (*truth*). These eleven form Aristotle's well known table of the moral virtues—"Justice, temperance, fortitude, liberality, magnificence, magnanimity, philotomia, meekness or affability, friendship, truth, and good cheer."

The other virtues—prudence, wisdom, &c.—are intellectual virtues, not moral. Of some of these moral virtues we shall have to say a good deal presently. But we must now say one word on the last of these moral virtues, which of the whole eleven is, perhaps, the least understood.

Eutrapeleia or "Good Cheer" is that virtue which enables a man to choose out such amusements as will on the one hand make lighter the burden of life for self and for others, and on the other not pander to man's baser nature. This virtue principally regards the happiness of others. It comes of two joint sources—lightness of heart and benevolence. All good is diffusive of itself, and Eutrapeleia is a special kind of goodness which inclines us to make other people happy, not by the giving of gifts, but by a communicating of our own personal happiness to them in pleasant conversation and amusements. For we cheer others by expressing our own

* Note.—It should be remembered that honour in the Aristotelian sense is not the same as inner honesty or truthfulness, but rather the honour that others pay us. It is quite external.

cheer provided we choose the right time, place, and circumstances. But Eutrapeleia, like other virtues, is a mean between extremes. Its act, pleasantry—the pleasantry of good cheer—is a mean between the buffoonery of the loud and vulgar man and the dulness of the stupid man. It is just as far apart from indecency as it is from prudishness; for though its end is to make things pleasant, it must be always under the control of Reason, and always takes account of circumstances, persons, and times. Speaking positively, it is the easy pleasantry of the man who wishes to see the whole world gay, but recognises at the same time that gaiety is only one side of our life, and that it can tire as well as exhilarate. The over-jocular man is second only to the "clown,"* for the over-jocular man bores by his buffoonery, whilst the clown, to use Aristotle's severe description, "is for all pleasant intercourse wholly unfit, inasmuch as, contributing nothing jocose of his own, he is savage with all who do." Between buffoonery and dull clownishness stands the virtue of Eutrapeleia or Good Cheer.

(*d*) The Cardinal Virtues †

(1) The traditional enumeration of the cardinal virtues has come down to us from Plato. They are prudence, justice, fortitude, and temperance. They are called cardinal because (1) they are the principal virtues or heads of virtues, (2) because to a certain extent there can be no single virtue without them. So fundamental are they that some philosophers have considered these four not as distinct virtues, but rather as *general conditions of soul* produced by and necessary to all the other particular virtues. Thus, they have regarded Prudence not as a special virtue but as general discretion, without which there can be no virtue, Justice as general observance of duty, Temperance as general moderation, and Fortitude as general strength and endurance of soul. Now, if these four be only general and not special

* "Clown" or "lout" in sense of an outwardly stupid man.

† We see no good reason why we should depart from this time-honoured enumeration. Whewell notices five Cardinal virtues—(1) Benevolence, (2) Justice, (3) Truth, (4) Purity (*i.e.*, the due subjection of the passions and sentiments to one another), (5) Order, or love of law. Socrates reduces all to *wisdom*; the Egoists to *prudence* or self-love; others to the *self-regarding virtues* (temperance prudence, courage) and the *extra-regarding* (benevolence and truth).

virtues it is plain that though Prudence must be distinct from the other three (since it dwells in the intellect—they in the will), yet those other three cannot be distinct from one another, but will be simply parts of that single quality of the soul which we might call its ethical soundness. But inasmuch as we regard these virtues as distinct from one another, we regard them also as special virtues, and not merely as general qualities of the perfect soul.

(2) *Enumeration of the Cardinal virtues.*

Virtue gives a man a readiness to act rationally, and it resides in such powers as come under the control of Reason. In this the virtues are different from the passions, which have their seat in the sensuous appetite quite irrespective of its control by Reason.

Now, in man there are four distinct rational powers having reference to conduct—(1) The practical Reason itself, (2) the rational will, (3) the concupiscible appetite, (4) the irascible appetite. All four are rational. For the first is Reason itself, and the other three come under the control of Reason—they are rational by participation. Now, corresponding to these four powers we must have four distinct capital virtues. They are prudence, justice, temperance, and fortitude, the first enabling *Reason* to discover the acts that lead on to the last end; the second determining the will to seek the good which is due to others; the third restraining the wanton rush of *concupiscence* after pleasure; the fourth encouraging a man to be bold when otherwise he would fight shy of difficulties.

It may be asked why do we demand only one virtue for will—namely, the virtue which perfects it in relation to others. We answer because we do not need to be inspired by virtue to seek our own good and pleasure, but we do need virtue in order to be just to others.

This enumeration, it will be seen, is based upon the consideration of the *subjective* powers in which the several virtues reside. The same result is reached when we take as ground the *objects* of the virtues instead of

the powers in which they reside. The one object of the several virtues is the good of Reason—the good, namely, which Reason secures to us *in relation to action or to conduct*. Now, such good is either (1) the act of Reason itself, and the virtue which directs the Reason in reference to its own acts—that is, the virtue which has as its object the acts of Reason is prudence—or (2) the objects of the acts of Reason. These can also be objects of the virtues. But the objects of the acts of Reason, *so far as conduct is concerned*, are either our outward acts or our inner passions. For external action we have the virtue of justice. For the inner passions we must have two virtues, one to restrain passion from hurrying us on to wish what Reason forbids—namely, temperance—controlling the concupiscible appetite, and one to keep the passion from unduly holding us back when Reason impels us forward—namely, Fortitude—directing the irascible. Temperance restrains our headlong desires, fortitude conquers apprehensiveness and over-timidity. This gives us the same four virtues that we have already deduced.

Whether these methods of deduction are persuasive or not the reader may judge for himself, but it is certain that they do bring out the importance of the four virtues in question by emphasising their several functions in relation to conduct. That these four virtues have a special and a most important bearing on human conduct no one, we think, will be disposed to deny, and, therefore, it is necessary to say a word about each of them in particular. On prudence we have nothing to add to what we have written already in the early portions of the chapter.

(*e*) On Temperance

(1) The virtue of temperance controls us in the pursuit of pleasures. Just as without desires and some pleasure we could not live at all, so if pleasure and desire get beyond the control of Reason our life ceases to be a

human life. Temperance moderates our desires and our search for pleasure and inclines us to a life according to Reason. In one sense temperance is a property of every virtue, for every virtue consists in the mean of Reason, which is the temperate pursuit of ends. But there is also a special virtue of temperance with a special subject-matter, the purpose of which is to restrain us in the use of those pleasures that draw our wills most strongly—namely, the pleasures of touch, or what are known as organic pleasures. These pleasures are such as appertain to preservation whether of the individual or of the race; and from the nature and importance of the end to which these pleasures are allied, they are in the design of nature made difficult of resistance, and hence the control of them requires to be effected by a special virtue—that of temperance.

Ordinarily, we need no virtue to impel us to the pursuit of pleasure. Our need is to restrain the desire for too much delight, and hence the essential function of temperance is to restrain this desire. The virtue of temperance is itself a mean between insensibility to pleasure on the one hand and gluttony and lust on the other.

Gluttony and lust are evidently evil because they mean excess in pleasure. But "insensibility" to pleasure is also evil because nature herself has attached delights to those acts that are necessary for human life, and, therefore, the natural order requires that a man should use these pleasures in so far as they are necessary to his own life or the life of the race. Now, a man can only maintain his own life by his own acts, and, therefore, every man should seek some of the pleasures attaching to the preservation of his own life. But the life of the race does not require the co-operation of all men but only of a certain number, and hence a man is not bound, except under exceptional circumstances, to seek those organic pleasures which attach to the maintenance of the race.

(2) *The parts of temperance.*

The parts of any virtue, as we have already pointed

out in the case of prudence, are three-fold—the *integral* parts or those conditions of mind that constitute the virtue, the *subjective* parts or its subordinate kinds, the *potential* parts or those secondary virtues which secure the same observance of law in the less important and less difficult things which the principal virtue secures in regard to its principal subject-matter.

The *integral* parts of temperance are shame (*verecundia*), which inclines us to *avoid* the disgrace of intemperance; and sense of propriety (*honestas*), which induces a love of the beauty of temperance.

The *subjective* parts of temperance are abstinence, chastity, and reserve (*pudicentia*).

Of the *potential* parts, some regard the interior *acts* of the mind—namely, continence, humility, clemency—some affect the outward acts—for instance, modesty—some affect not exterior acts but exterior *goods*—namely, frugality and simplicity. Of these various parts of temperance three require to be defined—namely, humility, modesty, and meekness. (1) Humility means the true estimate of our own worth, as, first of all, having nothing of ourselves; but, secondly, as having a great deal from God. Humility, therefore, is the source and spring of true human dignity, for though by it we are led to rate ourselves as nothing in one respect, we are in another made conscious of the great place we occupy in the Universe as men, and conscious also that, having our own individual responsibilities, we have also our own individual rights as against the rest of the race. Humility puts no man in a false position in the world, for the simple reason that humility must above all things be true. It moves us to a low opinion of ourselves in regard to what is from ourselves; and comparing what is in us of ourselves with what is in other men from God, it bids us consider ourselves lower than other men. But then, as Aquinas remarks, "humility does not require that we regard that in ourselves which is from God as lower than that which seems to be of God in other men." Humility cuts no man out from the race for

life and the goods of life, but it bids him know that what he wins there belongs to Another as well as to himself. (2) Modesty is the outward sign of inward temperance of mind and heart. (3) Meekness is the temperate use of anger and of the law of punishment. It inclines us to be dignified and self-possessed under insult, not out of contempt or pride, but because it is good for us to restrain our animal nature, so that when moved to anger we may be able to act prudently with others, and upbraid or punish them according to Reason.*

(*f*) On Fortitude

(1) Fortitude is the virtue which braces the soul courageously to face grave dangers, and particularly our greatest earthly evil—death. Only he who faces death boldly can be called brave absolutely, for, as Aquinas says, the only effect which a virtue properly regards is its highest effect "ad rationem virtutis pertinet ut respiciat ultimum."

But bravery in meeting death is not always the outcome of the virtue of fortitude, for fortitude implies that we go to *meet* death for the sake of forwarding some good cause. Hence, it is not always fortitude proper that sustains us in sickness, or in the stress of storm, or when attacked by robbers. But it is fortitude that leads a soldier to battle and that sustains the martyr on the rack. However, every willing sacrifice that is made for the sake of good falls somewhere within the domain of fortitude.

The acts of fortitude are two-fold—*sufferance* (*sustinere*) and *aggression*. And, since it is a more difficult thing to repress fear than to restrain daring, therefore, sufferance is the principal of the two acts of fortitude. Sufferance is more difficult than aggression for other

* How far the supernatural are beyond these natural virtues will easily be seen in connection with these three virtues of Humility, Modesty, and Meekness. The supernatural lifts them into a plane that is altogether above unaided human Reason. It is the supernatural that supplies us with our highest ideals of conduct as well as with our saints and heroes.

reasons also. For in sufferance our enemy is regarded as the stronger, in aggression we regard ourselves as the stronger, and it is more difficult to defy strength than weakness. In sufferance the evil has actually come upon us or is imminent, in aggression the evil is still in the future. Sufferance is ordinarily a prolonged evil, aggression may consist in a single attack. Consequently, sufferance is more difficult than aggression, and is the principal act of fortitude.

Again, fortitude is all the greater the more sudden the danger to be faced. Indeed, it is only in the case of sudden danger that we can be certain whether it is fortitude that sustains us. For when danger arises on a sudden it can only be the habitual virtue of fortitude that actuates us, whereas even a coward, if he gets time enough, can prepare his mind to face a grave danger.

Some men think that only he is brave who delights in danger and pain. But this is a mistaken notion. A man may be actuated by fortitude and yet feel no delight in his act. Such a man will, no doubt, experience delight in the thought of the cause he is promoting; but, on the other hand, he may inwardly grieve or be sad at the loss he is himself willingly sustaining, and if this loss should be accompanied by bodily pain this latter may even drive out of our consciousness all delight arising from the thought of the cause for which we are fighting. And if fortitude does not necessarily exclude sadness so neither does it necessarily exclude anger. On the contrary, a moderate anger will promote the ends of fortitude, for anger helps aggression. And through anger even sadness may be a help to fortitude. For though of itself sadness tends to diminish fortitude by increasing fear, sadness will also excite a man to righteous anger, which is an aid to aggression. On another score, also, anger may be an aid to fortitude, for anger makes life itself seem less worth living for, and it is thereby calculated to increase "daring."

(2) *The parts of fortitude.*

We repeat that the parts of a moral virtue can be either

subjective, integral, or potential parts. Now, fortitude does not admit of subjective parts—*i.e.*, of different kinds of fortitude—in the braving of death. But we may distinguish integral and potential parts of fortitude—integral—that is, the elements that go to make up fortitude—and potential or annexed virtues—that is, those lesser virtues which play the same *rôle* in regard to less difficult spheres of action that fortitude proper plays as regards the most difficult of all acts—the facing of death.

The acts of fortitude are, as we have said already, aggression and sufferance. Now, aggression demands two habits of mind. One a habit that prepares the mind for aggression—namely, confidence (*fiducia*)—the other a habit that perfects the work of aggression once begun—namely, *magnificence* or the virtue which enables us to fling away or risk goods of great price, than which none is greater than life itself. These are the two integral parts of fortitude regarded as an aggression. But these or similar which are integral parts of fortitude in regard to the greatest of evils—death—are annexed virtues or potential parts of it when they regard some lesser evil. Thus magnificence can be a potential part in so far as it appertains to the spending of money, magnanimity in so far as fortitude enables us to despise honours.

The second act of fortitude is *sufferance*, which has two integral parts, one of which counteracts the effects of sadness, which of itself would tend to lower our courage. This is the virtue of *patience*. The other sustains us in the long struggle against bodily misfortune lest we become worn out and yield—namely, *perseverance*. These same two virtues when they concern the lesser evils are potential parts of fortitude.

Fortitude is a mean between cowardice and recklessness; yet the mean of fortitude may often even border on recklessness, or, rather, what would be recklessness in some circumstances would be fortitude in others. We may in Reason risk more the greater the good that is being promoted.

(*g*) On Justice

(1) Plato defines Justice as the perfect harmony of all the powers of the soul. As so defined Justice is simply co-extensive with the "good." The Aristotelian and Scholastic conception of Justice is quite different from this; for, with these latter Justice is a special virtue with a special subject-matter distinct from that of the other virtues. Aquinas defines Justice as "the constant will to give to everyone his own." * It is, therefore, a special virtue, and its special subject-matter is our exterior acts in relation to other people. All Justice is "ad alterum." Its end is to secure right social relations between one person and another. It obtains between equals as the word "Justice" itself indicates, and hence it is only in a metaphorical sense that we can speak of Justice as governing the relations of a man with himself—that is, as governing the parts of man in their relation to one another and to the whole person.

Justice resides in the appetite, not in the knowing faculties, for its end is not knowledge but action—the just man is one who gives what is due, not one who knows what is due. And the appetite in which it resides is the will, not the sensuous appetite, for sense does not apprehend the relation of moral equality between one person and another.

Though Justice is a special virtue, still there is a sense in which it is a general virtue including every virtue. For the individual man is a part of Society, and whatever redounds to his good benefits Society also indirectly, and, *vice versa*, any virtue that benefits Society benefits the parts of Society or the individuals. So, every virtue, since it benefits someone, benefits Society of which that person is a part. Hence, "all virtue is in Justice comprehended," and it is in this sense

* "Perpetua et constans voluntas jus suum unicuique tribuendi." "Perpetua" is here meant to refer to the object of the *voluntas* rather than to the *voluntas* itself—that is, it is the will permanently to render, &c. "Voluntas" in this definition refers, as Aquinas explains, to the act, not to the faculty, of will.

that Aristotle defines Justice as "every virtue." As directing the acts of all the virtues to the common good, justice is a "general virtue," in which sense we call it "legal justice." But besides this general virtue of Justice there is a particular virtue of Justice which directly and immediately regulates the dealings of one person with another person, and it is in this sense that we speak of Justice in the present chapter.

Now, men are related to one another not by their inner passions but by external actions and by objects, and hence the subject-matter of Justice is not the same as that of the other virtues—namely, the interior passions—but outer acts and objects. These it regulates according to the natural laws of Society. And since Justice concerns outer actions and objects, not our inner passions, the mean of virtue which is secured in the case of Justice has no dependence on inner passions. It is a *medium*, not *rationis*, but *rei*. Thus, the mean of Justice in the case of buying and selling is the price of the object bought, and this is the same for every man, no matter what may be his inner feelings. The mean of the other moral virtues like Temperance and Fortitude is different for different persons.

(2) *The parts of Justice*.

As in the case of the other virtues, we must distinguish between the subjective, the integral, and the potential parts or annexed virtues of Justice also.

The subjective parts of justice.

The subjective parts of Justice, or its subordinate species, are two—Commutative and Distributive Justice. Commutative Justice regulates the dealings of one person with another. Distributive Justice regulates the dealings of Society with the individual. Distributive Justice is "exercised by the whole community through its head to the members," its special function being to secure proper distribution of those goods that are *common* by nature amongst the various members of the State, according to the merits of individuals and the requirements of the State. Distributive Justice secures fair play and

proper treatment for subjects, and also equality so far as the requirements of State allow. It is the preventative against favouritism, one-sided laws, unequal taxation, maladministration of funds, and those other political evils to which a ruler may be inclined either through personal likings and weaknesses, or skilful wire-pulling, or through the dependence of a sovereign on the good will of certain classes of his subjects.

The strict conception of Justice is realised only in the case of Commutative Justice, for only in the case of Commutative Justice is there a plurality of persons (the relations of Distributive Justice being rather those of whole to part than of one person to another), and only in the case of Commutative Justice is there equality between the parties. But Commutative Justice can obtain between States as well as between individuals, for States, like individuals, are many, and in their capacity as perfect Societies they are equal to, and independent of, one another.

Commutative Justice is so called because it concerns contracts or exchanges (*commutationes*). These contracts are either voluntary or involuntary. The expression "*voluntary* contract," need not be explained. An *involuntary* contract takes place when one man injures another, for by injuring another we take a good from him, and this act binds us to restitution in the same way that the bargaining in a voluntary contract binds us to pay for what we have received.

The integral parts of Justice.

Since Justice concerns outer actions, not inner passions, the full law of justice is to pay what is owed. Hence, we cannot, as in the case of the other virtues, speak of the integral parts of Justice—that is, of those dispositions that make up the perfect virtue. The one integral constituent that makes up the perfect virtue is the will to pay what is due. But we might consider this will to pay what is due in two aspects, one negative and the other positive—namely, the will to avoid injury and to do good. These two dispositions we may speak of,

if not as integral, at least as quasi-integral, parts of Justice.

The potential parts of Justice.

The potential parts or annexed virtues of any particular virtue concern, as we said, certain matters that on the one hand have a certain agreement with the principal virtue, and on the other hand fall short of the principal virtue in some respect. Now, in respect of the first condition, we may consider every virtue that regards in any way our relations with other people as appertaining to Justice. The second condition of an annexed virtue, that it falls short of the principal, can be realised in either of two ways in the case of Justice—either by a want of equality between the persons concerned in the transaction or because that which is owed is owed not by a strict law but only from friendship or liberality.

Now, under the first heading, which is want of equality, we find as annexed virtues to Justice those of *religion* which regulates our relations to God, *piety* which regulates a child's relations to its parents, *respect* (*observantia*) which secures a due rendering of honour to superiors. Under the second heading, or the absence of strict law, there are many annexed virtues, some of which are close up to the principal virtue of Justice—*e.g., truth* *—whilst others are only remotely connected with it like affability and friendship. But all these in some way or another concern our duties, whether perfect or imperfect, to other persons, and hence they are parts of Justice.

(3) *Justice—a natural virtue.*

When we say that justice is natural we do not mean that it is implanted in a man's will by nature, but only that the good which the virtue of justice secures is a

* When we say that truth is not enforced by a strict law we speak of truth as a part of Justice, as something that is owed to other men, and the violation of which is an offence to other men. As so regarded truth is not enjoined by strict law, for our duty to tell the truth is not, properly speaking, a duty to other men. But if we regard lying as a violation of the natural end of a faculty, then it is a violation of a strict law of nature. For further consideration of this point see chapter on Rights, page 631.

natural good—*i.e.*, it is something which is good, not by convention, but by the law of nature, and its opposite is naturally and intrinsically evil. Now, that there are laws of nature binding men to certain actions for the good of their fellowmen we have already shown in our chapter on The Good. So far as Justice depends on these natural laws it is a natural virtue. Some rights of Justice are, indeed, not natural since they depend on positive law merely. And of those rights that are natural some, whilst *resting ultimately* upon the natural law, are yet to a certain extent determined by the State or by reference to some empirical fact. But there are some rights which depend immediately and solely on the moral natural law itself and are independent of every empirical consideration. There are, therefore, rights which are, in the fullest sense of the word, rights of nature, and so there must be a natural virtue of justice for the maintenance of those rights. But for the proof of this proposition we must refer our reader to our chapter on Rights, in which we establish the existence of natural rights. Here we shall content ourselves with briefly considering one or two of Hume's well-known objections to the conception of natural justice.

Hume's objections refer principally to rights of property which many modern Ethicians regard as co-extensive with rights of Justice generally. In these objections he attempts to show that property, and the laws of Justice to which it gives rise, obtain not necessarily but only under certain contingencies, that consequently they cannot be natural, and, therefore, that Justice is not a natural virtue. These objections are—(*a*) If there were *no lack of goods* in nature there would be no virtue of Justice. There is, for instance, no law of Justice concerning the use of the air. (*b*) If men were *perfectly generous* there would be no need of Justice. Justice arises from selfishness, and the consequent danger that some men will not have a sufficiency of goods. (*c*) In the case of *famine* there is no law of Justice. In famine every man may take anything that he can get. Now,

these three conditions—an absolutely unlimited supply of goods, unlimited generosity, and complete famine, though not often to be met with—are still possible conditions of things, and their opposites are accordingly mere accidental conditions. And since it is on these latter conditions that Justice and Right depend, Justice and rights cannot be natural.

Reply—In the *first* place, as we have already pointed out, the rights here referred to are all rights of property. So that even if rights of property were not natural there would still remain other rights that are natural—*e.g.*, the right of a husband to his wife's fidelity, of an individual to non-interference from others, of children to training. *Secondly,* the right of property itself, we admit, does not stand on quite the same level as certain other natural rights. Being, as we shall see later, a product of the *jus gentium,* it depends more than other rights on contingent conditions. *Thirdly,* Hume's arguments do not avail to prove that the right of property is conventional or not natural in some sense. For it is not true that right would be extinguished in case of a plentiful supply of goods, or of generosity, or in case of famine. (*a*) Even if there were no lack of goods in nature a man would still have a right to what he produces. Nor can it be said that it would be absurd to claim a thing as one's own under such conditions—when, namely, everybody had more than enough. We can readily imagine a man wishing to have a thing simply because he himself had made it, even though there was in nature a superabundance of such things. So that even if there was no lack of goods, men could still possess and would probably insist on rights of property. However, is not Hume's supposition absurd? The supply of goods in a limited world must be always limited. The most one could expect to find in this world is not unlimited riches but very great riches. And rights of property would still hold even though the world were well supplied with the goods of life. As for air, it is not true that men have not a right to a certain

portion of air. Every man has a right to as many cubic feet of air as is necessary for life. School managers and inspectors insist on such a right. (*b*) Even if men were perfectly generous each would have a right to the products of his own labour. And even though all were generous we should probably still insist upon our rights. Men do not always care to depend on the generosity of others. (*c*) Even in the case of famine each man would have a right to certain things. One starving man would, for instance, have a right to keep the loaf that he had in his possession, and another would have no right to take it violently from him. A starving man has a right to his *life*, for another may not kill him in order to obtain food. In the case of famine, therefore, man still has rights.

But even though we could not show that in these abnormal conditions contemplated by Hume men still had rights, we should nevertheless contend that such cases do not disprove the existence of a natural right of property under normal conditions. All natural right obtains under natural conditions; but some of Hume's conditions—that of an infinity of Goods and that of a universal famine—are not natural conditions. And just as we should not judge that there was no natural method of walking, since if all legs were paralysed men could not move, so neither should we claim that certain natural rights do not exist because of the difficulty or impossibility of exercising them under very abnormal conditions.

(4) *Justice an objective virtue.*

Justice, as we have seen, has to do with outer operations, not with internal passions. It is common knowledge that if a man makes a contract, he is bound to fulfil it from his side, provided also it is fulfilled from the other, and that until the contract is fulfilled and, in the case of pecuniary contracts, payments made, the law of Justice remains unsatisfied, no matter what may be the defaulter's intentions or what the cause of his defalcation. So also if I pay a man what I owe him, but pay

him by mistake, thinking that I am paying somebody else, the law of justice requires no more of me. It is fully satisfied by the outer act. The end of justice is the *outer* fulfilling of justice, and it has nothing to do with inner states of mind, desires, passions, knowledge or affections of giver or receiver. In this sense justice is an objective virtue. Its principle is the objective principle of equality—not in the sense that each man's possessions must be equal to every other man's, but that each man must be left in possession of what he owns. If that equilibrium is once disturbed the law of justice requires that it be restored again. Justice has reference, therefore, to an objective relation only—that is, it binds a man to the doing of a certain outward act, not to the doing of that act from any particular affection, or intention, or passion. As independent of passion it has been called the frigid or the mathematical virtue.

Having, therefore, no reference to passion or to anything subjective, it is useless to seek to ground this virtue upon any internal affection. It is, like mathematics, a law of things, and it is grounded on the nature of things themselves. In this connection the reader will find it interesting to criticise for himself some of the ordinary subjective theories of the principle of Justice—for instance, the two theories which ground Justice respectively upon the feelings of (1) sympathy, (2) gratitude—the first of which theories is taught by Hume, the second by Sidgwick.*

Hume's Theory

Hume postulates two grounds for the sentiment of Justice—Sympathy and Utility. But sympathy is the chief element, and to that, according to him, the virtue ultimately reduces—that is, I pay a man what I

* Spencer bases the sentiment of Justice on the love of personal freedom, which, under the influence of certain subjective laws, becomes transformed into an altruistic feeling. Mill bases it on the animal feeling of resentment, which when purified becomes the desire for punishment.

owe him because I sympathise with him, or rather I feel that I am bound to pay him, because of sympathy.

Criticism of Hume's theory—If sympathy be the spring of justice it is strange that the two conceptions, Justice and sympathy, have become so completely divorced with time. Of course, it may be said that association can first bind things together which afterwards become independent, and that even though formerly the conception of Justice arose out of that of sympathy it is not to be wondered at if it has now become independent of that conception. But surely in matters of this kind, where we are dealing with conceptions that are known to everyone, we are not free to suggest that two conceptions were once causally connected—that is, that one arose out of the other—when as a matter of fact we have no empirical evidence of their having ever been connected, and when, in addition, they are now distinct conceptions, and independent, and even often opposed. Thus, I pay a man because I know I am bound to pay him, not because I love him or sympathise with him, and I claim payment from him because he is bound to pay me, and for no other reason. I may hate him, as I have already said, I may have no sympathy with him, yet I am certain with an unmistakable certitude that I must pay him what I owe. In justice, then, as such there is no element of sympathy.

Sidgwick's Theory

Sidgwick admits that the prominent element in justice is equality, but yet he insists that the principle of Justice is not equality but gratitude. The principle of gratitude is, he says, that "the good done to an individual ought to be requited by him," from which he concludes that "men ought to be rewarded in proportion to their deserts." Thus, to say a man has a right to the produce of his labour is only another way of saying that he has a right to be rewarded out of gratitude for services rendered. In this way Sidgwick

claims to be able to explain what he regards as the otherwise inexplicable right of *first occupation;* for on no other title, he tells us, may a man appropriate what he finds and has not previously owned than the title of the boon conferred upon the community by his discovery. Punishment, the reverse of reward, being essentially grounded on the principle of an eye for an eye and a tooth for a tooth, is, he claims, based upon the negative of the conception of gratitude—that is, upon the feeling of resentment.

Criticism—Now, this argument will easily be seen to be erroneous if we consider how essentially opposed are the two virtues before us. For (*a*) gratitude always supposes the returning of a good which yet *need not* be returned—a return for which there was no stipulation, a return which is perfectly free and spontaneous. (*b*) Gratitude presupposes that the good done in the first instance, and for which a return is now being made, was free and spontaneous, and unstipulated for. (*c*) Gratitude has regard to passion, to subjective feeling, to affection. I am satisfied with a man's gratitude when I know that he thinks well of me, that he remembers what I have done for him, and, ordinarily, if a return is given, it is given only as a *token* of remembrance; there is no law of equality between the return made and the good originally done. (*d*) Both gratitude and sympathy prompt us to reward a man for services attempted but not succeeded in. (*e*) Finally, gratitude is an altruistic feeling. Now, Justice differs in all these points from Gratitude. (*a*) Justice moves a man to a return of goods because this return has been stipulated for, and because, therefore, these goods belong to the other party to the contract. (*b*) It supposes that those things which were originally given, and for which a return is being made, were given as a result of contract and not in friendship merely. It is stern obligation from beginning to end. (*c*) Justice cares nothing about inner passion or intention. It simply requires that a certain payment be made, whether out of gratitude or hatred,

from selfish or altruistic motives, it does not matter. "Frigidum illud verbum, meum ac tuum" describes it admirably, for a debt of Justice is discharged because it *has to* be discharged, and because there is no way out of it, whilst he in whose favour the debt is discharged cares nothing about the feelings that accompanied its discharge. (*d*) Justice, generally speaking, cares nothing about good which is merely *willed* or *attempted*. If we might put it so, Justice demands payment only for goods delivered at our doors. (*e*) Justice is neither an altruistic nor an egoistic feeling. If it requires that I be just to others, it requires also that others be just to me. It represents a mere equation between man and man.

Justice, therefore, cannot be based on Gratitude.

CHAPTER XIX

ON LAW

(*a*) General Conception of Law

(1) Our first business in framing a right conception of law is to show that *Law is a function of Reason.* Law is defined by various writers to be a "rule of action," a "rule of direction," a "settled principle of action," a "measure of action," a principle following which we are led to pursue certain lines of conduct and to avoid others. This element of "guidance" or of "rule" is the fundamental element in our conception of law. The word "law" is applied principally and essentially to rules of *human* action,* but we use it in a transferred sense in regard to other things, always, however, with the same meaning of a rule of action or of movement of some sort. Thus, we speak of chemical laws, meaning thereby the principles according to which elementary substances enter into chemical combinations with one another; of the laws of plants—that is, the laws which guide the movements and growths of plants; of the laws of animals—that is, the principles, instincts, &c., which guide the acts of animals. In all these cases law directs action or movement.

Now, in the case of man, as also in the case of other living things, a rule of action means always a principle according to which proper means are taken to the attain-

* A "lawyer," absolutely speaking, is one who is versed in *human* laws.

ment of some end; and since Reason * alone is competent to devise means for obtaining an end, it follows that law is primarily a function of Reason.

But, though law belongs essentially to, and dwells in, the directing Reason (*est in regulante et mensurante*), it is evident that law belongs by participation to, and exists in, the subject ruled (*est in regulato et mensurato*). Thus the laws that govern the movements of machinery are a participation and reflection of the mind of him by whom the machinery is designed. The law of the Divine Reason, which designed the structure and functions of the animal kingdom, dwells by participation in animals, and directs them to their ends. This extension of the laws of Reason to the things which are directed by Reason is a point of cardinal importance in Ethical Science, and will be considered at greater length when we come to speak of the natural and Eternal laws and their relation to one another.

But though law proceeds from Reason, it bears also some reference to Will. For, law being a rule of action, it has two essential elements—it is a plan and a directing or moving force. It *arranges* a line of action, and it *binds* to the adoption of that line. It is a *thought* and a *command*. For instance, a human law is something more than a mere *plan* for the securing of the common good. It is a plan which the legislator *lays on our wills for acceptance*, a plan which the legislator binds us to follow.

Hence, law is a function not of intellect alone, but of will also. Intellect is the planning, the thinking, the arranging power—will the moving, the binding power. Yet, primarily and essentially, law is a function of Reason or intellect, and not of will; for will, in binding us, receives its direction from Reason. Will urges to the doing of a certain act; but it urges, in the case of a

* The designing of means always implies reasoning. Hence a mere "sense" could not make laws. Sense could not even apprehend the abstract relation of proportion or of suitability between means and ends. For this reason, though animals may attack an enemy, they cannot devise means by which to kill an enemy.

genuine law, under the guidance of intellect. The will that binds a subject independently of intellect is a principle not of law but of confusion and destruction (*magis iniquitas quam lex*). Hence, inasmuch as the guiding power is always principal, and of more consequence than that which is guided, we regard law as primarily and essentially a function of Reason—not of will.

Note on "Natural Selection" as a Substitute for "Laws of Reason."—Some try to explain the order of the living Universe, not as a result of laws of Reason, but as a result of Natural Selection, of "Struggle for Existence," of the "Survival of the fittest." Now, it is not within the scope of the present work to discuss this question of "natural selection" on its own merits. But we may be permitted to point out that "natural selection" and "struggle," even if we accord them a large place among the existing world-forces, are not to be regarded as incompatible with the existence in the world of laws of Reason. Nay, they may themselves be laws of Reason. For even an all-wise Reason might impart a "law of struggle" to living things in order to secure the development and continuance of the best types amongst the species, and in that case we should speak of the "struggle for existence" as a law or function of Reason.

Yet, even though we admit the possibility of such a law, we could not regard the "struggle for existence" as an ultimate explanation of the natural order of things, for "struggle" amongst living beings is itself based on the existence in plants and animals of natural appetites, and of a natural law depending on these appetites. Thus, animals struggle for sustenance *because* they have a natural appetite for food. Hence the "Struggle for existence" could not be the ultimate principle of the order of the Universe, but the natural laws of the appetites; and as we shall show later, it is from these natural laws that we come to the knowledge of the Eternal Law of the Supreme Reason from which all order proceeds.

It may be well to add here that to our mind the existence of a supreme directing Reason is even more evident from the study of the natural appetites of plants and animals than from their structure. It is evident that the animal is driven to seek for food and other objects *in order that* thereby it may secure its own life and that of the race. But of these ends the animal itself has no consciousness and no care when following

its natural appetites ; and hence its direction to these ends depends on *some other power* besides its own appetites.

To the foregoing argument some philosophers might raise the objection that it is built on the assumption that the appetites of the various animals are natural—that is, that the appetites belong to their original constitution. Now, though it is quite true that our argument assumes the natural and original character of some appetites, still we claim to have shown that the existence of natural appetites in living things is more than an assumption. It is an established fact (see chapter on The Good). As Leslie Stephen points out, unless certain natural appetites were present from the beginning, the animal world could not have survived a generation. These appetites, therefore, are part of the natural constitution of the animal races, and they are, as we have said, evidence of the existence, somewhere, of a designing mind.

(2) We have next to determine the *end* of law. Law, we claim, is always ordained to the common good. We saw that law is a rule of action. Now, the good or welfare at which action aims may be either the good of an individual merely or of a whole community. But law evidently aims at securing a certain unity of action, which, without law, would either be unlikely of realisation or impossible; and, therefore, we claim that law appertains principally to the good of the community only, since the conduct of an individual does not need to be unified by any rule of guidance. For another reason, also, we claim that law has reference principally to the common good and not to the individual good—namely, that everything in nature which is defined by its effects is defined or denominated by its highest effect, not by its lowest. Thus, we speak of man not as a vegetative or sensitive, but as a rational, being. And, therefore, it is right that we should regard law as a rule of action given to a community ; for the good of the community is higher than that of the individual, being related to the individual good as the whole is related to the part. Just, therefore, as the plan of an architect regards primarily not the parts of the house, but the whole house to which the parts are subordinate, and, in a secondary way only, the perfection of the parts, so law has reference

primarily to the order which is to be followed in the securing of the common good, and secondarily to the individual good. Rules of action, we admit, are often formulated for the guidance of individual conduct only. But we should no more regard rules of this kind as laws than we should speak of a couple of individuals as composing the State or of a mere well-ordered sitting-room as an Art Gallery. The individual good is neither wide enough nor great enough to be the sole end of law.

From what we have said, it will be evident that the law of the Prime Ruler appertains directly and principally to the common good of all creatures—the law of any other subordinate ruler to the common good of some lesser perfect community. We say "a perfect community," because law belongs only to a community which is capable of attaining its own ends—that is, it belongs to a community which is self-sufficing. The rules of a particular house or of a family are called, not laws, but precepts, for a house or family is not a self-sufficing community.

We should, however, remark in explanation of our doctrine that the end of law is the good of the community, that not all laws are meant to *bind* the whole community or are meant to lead *directly and immediately* to the good of the whole community. For, many laws *bind* a part only of the community, and *directly benefit* no more than a part. But persons that come under laws of this kind come under it *as parts* of the community, and the law which guides them is to be regarded as part of the general scheme for the securing of the common good. In this sense we describe law as directed always to the general good.

(3) A law requires to be *promulgated*. By promulgation is meant the bringing of a law under the notice of those whom it binds, and giving it to them as binding. Now, a law is a rule of action, and since nothing can be a rule of action to men unless it comes to the knowledge of those whom it binds (human action being always directed by knowledge), it follows that promulgation is

necessary for law. Promulgation must also be certain, for true knowledge implies certainty; so that if the promulgation of any law be doubtful such a law is not sufficiently promulgated, and it is not to be regarded as binding.

Promulgation, however, need not succeed in bringing a law under the notice of *every* subject. A law which is published may bind its subjects, even though it fails to reach the notice of some individuals. But, though this is true as regards many of the effects of law, still, in order that a law may bind the individual conscience *formally*—in other words, in order that its violation may be regarded as, properly speaking, a transgression—it must be known with certitude * even by the individual, since for formal sin it is necessary that a man sins knowingly and willingly.

The foregoing considerations will suffice to give us the full definition of a law—it is a "dictate (*ordinatio*) of Reason given and promulgated for the common good by one who has charge of the community."

(4) A supplementary question remains as regards the *subject* of laws, or what and whom it binds. A law may bind any creature, for there is no creature that may not be directed to some end. But, as we shall see later, law *in its strict sense* extends only to rational creatures, and the only rational creatures that concern us here are human beings. The question then arises—Are all men subject to law? Our answer is—Every human being is subject to the natural law, for every human being is possessed of human nature. But only such people as are habitually possessed of the use of Reason are subject to human laws—that is, to laws that emanate from men. Infants and mad people, therefore, could not be bound by human law, but those who are habitually sane, even though they suffer from a temporary mental aberration, are subject to human law. But though all men are

* The subject of Probabilism is intimately connected with this question of promulgation. A brief reference to it is found at the end of our chapter on Conscience.

subject to the natural law, and those who are habitually sane are subject to human laws, still the formal—that is, the criminal—violation of any law, whether natural or human, is possible only in the case of one who is in actual possession of the use of Reason.

A practical consequence of the doctrine we have just laid down—the doctrine that all men are subject to the natural law—may be mentioned here—namely, that it is not lawful to excite infants or mad people to acts that oppose the natural law. To do so is to incur all the guilt of their act.*

(*b*) Of the Various Kinds of Laws

Men are governed by four principal kinds of law—namely, the Eternal, the Natural, the Human, and the (positive) Divine laws. The last of these belongs to revealed science, and need not be considered here. The other three will now be considered at some length.

The Eternal Law

(1) "As with every artificer," writes Aquinas,† "there pre-exists the plan of the things that are set up by art, so in every governor there must pre-exist a plan of the order of the things that are to be done by those who are subject to his government. And as the plan of things to be done by art is called a pattern or exemplar, so the plan of him who governs subjects has the character of a law, if the other conditions are observed, which we have

* *Apropos* of the doctrine that the aim of law is the good of a community, Aquinas points out that whereas a subject may be a *bad man* in his private life without injury to the State, he cannot be a *bad citizen*—that is, he cannot set the public leglislation at nought without injury to the State. A ruler, on the other hand, will harm the State if he is bad, either in his private or his public life—*eadem est virtus principis et boni viri*—for even the inner dispositions of a ruler tend to make themselves felt in the laws he enacts. This latter portion of Aquinas' teaching, however—that, namely, which concerns the requirements of rulers—holds more for the case of absolute monarchies than for constitutional monarchies or republics.

† "Aquinas Ethicus" (Rickaby), Vol. I., page 274. We begin with the consideration of the Eternal law, because ontologically it is prior to the natural law. But it should be remembered that the natural law is known to every man in some measure before the Eternal, and that through it we come to the knowledge of the Eternal Law.

said to be essential to a law. . . . And as the plan of divine wisdom has the character of an exemplar, pattern, or idea, inasmuch as by it all things are created, so the plan of Divine wisdom moving all things to their due end has the character of a law. And thus the Eternal law is nothing else than the plan of Divine Wisdom as director of all acts and movements."

From this passage of Aquinas we shall have no difficulty in understanding the nature of the Eternal law. The Eternal law is the law of God as directing the whole Universe to its end. By it God rules all His creatures, and directs them to their final end, which is Himself. There is nothing which does not come under this law—neither plant, nor animal, nor man, nor angel; for Divine Providence extends to all. Later in this chapter we shall show what is the origin of our knowledge of the Eternal law: we shall show that it is known to us through the natural law. At present our claim is that the Eternal law itself is prior to every other law—to natural and to human law—and that it is the ground and principle of every other law.

(2) Now, the planning and the guiding of the created Universe by the Supreme Reason are *acts* of God, and like all other acts of God they are independent of time (that is, His acts do not succeed one another in time), since God Himself is independent of time. God's actions have no beginning and no ending. The outer effects that attend upon His wishes and commands are, indeed, subject to the time-conditions of the finite Universe—they begin and end at definite moments of the world's history—but the act from which these effects spring is not subject to time-conditions. It is eternal.* God's law is, therefore, eternal. It existed in God before † the created world existed, just as the plan pre-

* There is no reason why causes should always be subject to the same conditions of existence that govern the effects. God's directing act is, like God Himself, eternal and out of the time-series altogether. The effects of His action are subject to the time-conditions of the finite Universe.

† This word "before" means simply that God's act did not begin with the created world. It is the cause of the created world.

cedes the building of a house. It was even *promulgated* before the world appeared (though its promulgation was not received until creatures existed), for promulgation consists in the expression of the law; and the Divine Word, which is God's Mind, expresses itself eternally in the fullest way.

But, it will be objected, any law is meaningless and foolish which is enacted and promulgated before those subjects for whom it is destined exist; and as the Eternal law, which is destined for the created world, existed before the Creation, it was a meaningless and a foolish law. We answer—If the law which is promulgated is only a means to creatures, then it is a foolish thing to promulgate a law before they to whom it is directed exist and are able to receive it. But the Eternal law is not a means to anything beyond itself. Even the natural law existing *in* created things is not a means to—that is, is not directed to—the good of created things. Rather it is that which *directs* created things to their end. It guides, for instance, and directs animals to their ends. But human laws, existing in the mind of human legislators, are directed to the attainment of the prosperity of others. They are, therefore, means to something beyond themselves. Now, the Eternal law, like the natural law, is of the nature of a directing principle. It *directs* things to their end. It produces, no doubt, *effects* outside of God; but yet it is not *directed* to created things. For the Eternal law is not distinct from God. It is the will of God Himself, who is the Prime Mover of all things; and hence, if we might be permitted so to speak, it is its own end. Even, therefore, before created things came into Being, the eternal law had reached its end, though it did not produce its *effects* until the world existed and until the conditions of its fulfilment were realised.

(3) We must now consider the *scope* of the Eternal law or its breadth of application. All things, necessary as well as contingent, are subject to the Eternal law. Necessary and eternal things are subject to the Eternal

law because they are subject to the Divine Government. And they are subject to the Eternal law *exclusively* because they are subject to Divine government exclusively. Necessary things are not subject to the government of man. A man can, no doubt, make a law concerning other people's contingent acts; but no earthly ruler could make a law that men are to have or not to have hands and feet. But God could make, and has made, such a law, because nature and natural necessities are subject to the Divine power.

Natural contingent things are also subject to the Eternal law, because they also are subject to Divine Government. But of these one class comes under human law as well as under the Eternal law—namely, human actions. Other contingent things come under the Eternal law *only*. The reason of this is interesting. Man, as we have said, can make a law to guide the conduct of human beings, but he could not issue a law to irrational creatures. For man cannot, as God does, give to things natural inclinations towards those ends which he wishes them to attain. Hence, anything that is directed by human government must be capable of receiving direction by way of *command*, and of directing its own acts accordingly. But animals can neither receive a command nor direct themselves. They cannot receive a command, for a command can influence to action only in so far as it is understood, and animals cannot understand human commands.* Neither can they *direct themselves* to action, because they are not free. Therefore, being unable to receive a command and unable to direct themselves, they are not subject to human government. Any effect, therefore, that a man may wish to bring about in animals he must himself produce in them, without their co-operation. But man can issue a law to other men by imprinting in their minds the knowledge of what they are to do. And in this the human law is, even

* The obvious objection to the above, that some animals "understand" their Master's command to "come" or to "depart," is not worth discussing here.

as a directive force, like the Eternal. For, just as a man guides others by imprinting a principle of action in the minds of others, so God directs by imprinting an inner directive principle in all things—namely, the natural law—by which *internal* principle they are moved to obey Him.

THE NATURAL LAW

(1) As we have already pointed out, law being a measure and rule of action, it exists in two ways—in that which rules and in that which is ruled ("*in mensurante et in mensurato*"). As existing in God the Supreme law is Eternal; as *existing in the subject ruled it is known as the natural law*. And since the ruler comes before that which is ruled, the Eternal law is prior to the natural law and is its cause.

But though ontologically the Eternal law is prior to and is the ground of the natural law, *yet we are to conceive the natural law as logically prior in regard to us—that is, as coming first in the order of our knowledge.* For just as it is from the existence of the finite world that we come to know of God's existence who is first cause of all, so also * it is from the existence of the natural law of the universe that we establish Divine Providence and the existence of the Eternal law. The natural law, since it exists in creatures, is an effect; and, therefore, it presupposes another law above itself from which it springs, and, as we shall see later, of which it is the reflection.

Now, that a natural law exists is evident from the fact that everything in this world is guided and directed to its

* In his article on "Divine Providence" ("S. Theol." I., Q. XXII., Art. I.) Aquinas follows this *a posteriori* method—that is, his argument for Providence proceeds from effect to cause, from the existence of law *in* the Universe to the existence of a Divine Providence. Later, in establishing the Divine government of the Universe (Q. CIII., Art. I.), he argues in a two-fold way—first, *a priori* from the idea of a most perfect being, saying that it is *most congruent* that such a Being should rule the world according to law; and, secondly, *a posteriori* from the manifest existence of natural "law" in the Universe. In the text above we follow the *a posteriori* proof, as Aquinas himself seems to do when treating of the relation of the Natural to the Eternal law.

end by certain natural inclinations (*habent inclinationes in proprios actus et fines*). For instance, the plant is moved by an inner inclination to take in moisture and to grow; the animal is moved to seek for food and to preserve the race; and these and the other natural appetites of which we spoke in our chapter on The Good are the foundation of the natural law. They are nature's means for the attainment of certain necessary ends. Without them we should not be induced to attain these necessary ends; and without them, therefore, neither the individual nor the race could continue to live. These appetites are part of the natural constitution of things—that is, they are no mere chance inclinations which the creature can elicit or not elicit at his wish, but are permanent appetites or tendencies proceeding from that inner nature which God has placed in all creatures. The law, therefore, to which they give rise is rightly spoken of as a "natural law." *

Now, as the house is only a repetition and a reflection of the idea of the architect received into the material building, and as the movement of the arrow is but an *impression* of the directive act of the archer, so nature and the natural law, through which the universe is directed from within to its end, are to be regarded as a reflection and a participation of the Eternal law of God, who moves all things to their end. And when we speak of the natural law as a "reflection" we do not mean to insinuate that the natural law is something unreal, or that it is a mere image like the reflection of the sun in the waters. The natural law is a reflection in the same sense that the house reflects the idea of the architect—that is, it is a reflection—but real and substantive.

* Most modern biologists admit that over and above the mere mechanical forces which exist in all material beings, living bodies are endowed with a special directive principle—the principle of Life—which guides all living things to their proper perfection. They agree also that this directive force works from within the living organism, not from without. But some would call this inner principle Mind or Consciousness—the Mind of God. St. Thomas calls it nature or natural appetite. Between these two world-views Science bids us choose. The first is the world-view of mysticism; the second is that of philosophy and of sound common sense.

Now, the natural law exists in some form or other in every creature. It is present in plants, in animals, in men. But the natural law of plants and animals falls far short of the full conception of law. For law is a function of Reason, whereas animals and plants have no Reason. In them the Eternal law is, indeed, received, but it is received in a modified form only, and not as a rule of Reason. The natural laws of plants and animals, therefore, though resulting from the Eternal law, are rather of the nature of an irresistible force than of a law. But in man the natural law is law in the true sense of the word. It is a dictate of our human Reason as the Eternal law is a dictate of God's Reason. For, *even though the natural law does not proceed from or originate with our Reason,* yet our own Reason promulgates it to us; and, unlike both plant and animal, we guide ourselves by means of it to our final end. The natural law, therefore, in man is law in the fullest sense of the term, and, as we have already explained, it is known to us before the Eternal law, on which account Aquinas maintains that it is by the natural law that we are primarily directed to the attainment of our end.

(2) As we have already explained, the natural appetites give rise to precepts, and the sum of these precepts we call the natural law. What those precepts are we have already seen in our chapters on The Good and on Intuitionism. These precepts of the natural law are many and not one. For, besides the appetite of will, which has for its object the good in general, giving rise to the precept "the good is to be done," there are in man other appetites also, having for their objects certain particular "goods," such as life, food, society—and these several appetites give rise to several particular precepts, as that life is to be preserved, society to be maintained, offspring to be trained, &c. And between these precepts, as already pointed out, there is a natural order depending on the order of the appetites. For some appetites are common to all substances, like the appetite for existence, some to all or most animals like that of the care of off-

spring, whilst other inclinations belong to us as rational beings—for instance, inclinations to know the causes of things, and particularly the First Cause (in other words, the inclination to the sciences); also an inclination to live in society. These precepts of the natural law follow the order of the respective appetites on which they are grounded, and thus give rise to a hierarchy of laws, varying in breadth of application and importance, according as their objects are of lesser or wider extension and importance.

(3) The natural law being founded on the natural appetites, it follows that the law of nature is both (*a*) universal and (*b*) invariable. (*a*) We say, first, the natural law is universal—that is, is the same for all men (not, indeed, in regard to all its conclusions, but in its first or fundamental principles), for the primary moral principles are founded on the strictest necessities of our nature, the natural appetites and their essential objects, and these are the same in all. How these universal precepts can allow of, or lead on to, differences in individual duties has already been considered.*

(*b*) In order to bring out the *invariability* of the moral law we must say in what different senses a law may be spoken of as invariable or variable. Variability may be either *objective* or *subjective*—that is, variation may take place either in things themselves or in our opinions about things. Speaking *objectively*—that is, of things in themselves—a thing may be changed in either of two ways—either by *addition*—that is, by allowing other things to be added to it, or by *subtraction* by the loss of something previously possessed. Now, the natural law is not invariable as regards addition, for it can be supplemented by other laws. But in its first principles and regarded *objectively* the natural law is invariable in the second sense. What is to-day a necessity of the natural law cannot to-morrow cease to be necessary. For our natural appetites are invariable,

* Chapter on The Criterion, page 163.

and the natural appetites are the ground of natural law and of natural necessity.*

But though the natural law is invariable in its first principles, the application of these first principles is not invariable, for what is necessary for the satisfaction of appetite under one set of circumstances may not be necessary under another, and the content of the natural law is to be determined according to the circumstances. To that extent there is room for development in the objective law of morals.

Subjectively—that is, in regard to our knowledge of the law—the law of nature may greatly vary, not, indeed, as regards our knowledge of the first principles—for those we cannot but know—but as regards the more remote conclusions from these principles. This and other points in connection with the natural law have already been considered in our chapters on The Good, on Evolution, and on Synderesis.

(4) *The natural law and the question of Divine Immanence.* The doctrine here given of the Natural and the Eternal laws, their necessity and their distinction from one another, may be taken as Aquinas' answer to the problem—a problem which seems to have been as pressing in his day as it is in ours, of Divine Immanence and Transcendence. How, the modern philosopher asks, can any law bind me unless it proceeds

* This question of the invariability of the natural appetites is a large and difficult question, but we do not think it is necessary to dwell on it at any length here. We are, we confess, not wholly averse to allowing the possibility of the disappearance of some appetites from man; yet we insist, first, that whilst the appetites exist their natural objects remain the same, and that therefore the law remains the same. Secondly, the disappearance of an appetite does not necessarily entail variation in the natural law. If, for instance, the appetite for Society were to disappear, we should still be under a duty to enter Society, for Society is necessary for perfection, and perfection could not cease to be an object of desire. Again, the appetite for food might disappear; yet food will always be necessary for the maintenance of life, and life cannot cease to be an object of appetite to living beings. Eating, therefore, would still remain a duty. Thirdly, the cessation of some natural appetites, though metaphysically conceivable, is, we think, not a practical possibility. We do not consider that any natural appetite of importance in man could be lost without inflicting such injury on the race as to make the continuance of the race impossible. Consider the appetites for life, for food, for the care of the young, &c.

from one who is superior to me, and, therefore, is outside of, or transcends, me? On the other hand, how can law beget necessity, the necessity of duty, within my will, unless it be in some sense in contact with my will—unless, that is, it be immanent in me and part of me or I of it?

Aquinas' answer is that both laws exist. The world is ruled or directed to its end by a two-fold law—the Eternal law and the Natural law. The first dwells in God's Personal Reason. It is above the world, and therefore it is outside of or transcends the world. The second, or the Natural law, which arises from, and is dependent on, the Eternal, is yet immanent in the world, and rules things from within, whether unconsciously, as in the case of plants, or by sensitive instincts, as in the case of animals, or as a Rule of Reason, as in man. This second law is related to the first as the reflection is related to the original source of light, as the ectype to the archetype.

ON HUMAN LAW

For the proper direction of the Community, and the securing of the common good, the natural law has to be supplemented by certain other rules of action in which special account is taken of the needs of particular Communities. These rules of action are known as positive or human laws, because they must be enacted by human rulers. They are necessary for two reasons—first, in order to enforce the necessary conclusions of the natural law—conclusions which many men might either not be aware of or might be inclined to disregard; secondly, in order to determine certain things which the natural law leaves undetermined, and the determination of which depends on particular circumstances. Thus, the natural law requires that the State be maintained, but the best mode of maintaining the State depends upon many contingent circumstances, which the natural law does not consider.

Thus, the positive law is derived from the natural law, and in a twofold manner. Some of its enactments are derived by way of *conclusion* from the general

natural principles; others are derived by way of *determination*—by particularising what is vague in nature. Laws derived by way of conclusion are natural laws rather than human. Those derived by way of determination are essentially human, for which reason we find human law sometimes described as "*determinans indeterminata a lege naturae.*"

(2) Some have thought that human laws do not bind in conscience. This is a very grave error, and one fraught with grave consequences to the community.* Human laws are either just or unjust. If they are just they bind in conscience by virtue of the natural and Eternal law from which they are derived. If they are unjust they do not bind, and are not, properly speaking, laws. The only question, then, that arises in regard to the binding power of a law is the question of its justice or its injustice. Now, to be just a law should be just in respect of (*a*) its *ends*—that is, it should be ordained to the common good; (*b*) its *author*—the law should not exceed the legislative powers of the Ruler; (*c*) in respect of *form*—the burden imposed by the law should be properly distributed. A law that is just in all these respects is binding in conscience. If it fails in regard to any one of these it does not bind, and is not a valid law.†

* Some Ethicians, particularly lawyers—*e.g.*, Blackstone (quoted in Sidgwick's "Methods," page 302)—seem to think it an indignity to human law to regard it as binding in conscience, so strongly do they insist on its non-moral character. This attitude we cannot understand. Surely a law must gain in dignity and influence by the fact that over and above the authority conferred on it by the State it has also authority from Conscience. To hold with Blackstone is to be untrue to the State laws.

† Ethicians generally mention six qualities of a true valid law—it must be *possible, good, useful, just, permanent* and *promulgated.* All six are contained in the three given above.

In regard to the distinction drawn above between validity in respect of end, author, and form, and our doctrine that to be valid at all a law should be valid in respect of all three, we should notice that in the writings of Hegel, Stahl, and other modern jurists mention is also made of *formal* validity, not in our sense, given above, but in the sense of validity in respect of author; and the view is defended that when a law is formally valid—that is, when it is enacted by a genuine Ruler—then, even though the (material) contents of the law are evil, the law is a genuinely valid law. This view is quite opposed to the teaching given in the text, which, we may add, takes no account of mere penal laws.

(3) Human law possesses neither the universality nor the invariability that belong to natural law, for human law depends on the contingent and varying conditions of the State. And for this reason it is sometimes right and necessary to change or abrogate a human law—namely, when it becomes unsuitable to the altered conditions of a nation and when its observance would do harm. But a law should not be changed without grave reason, for change of law weakens the very principle of law, there being no better bulwark for the protection of law against the tidal wave of revolution than the custom which arises from long-continued observance of it. Custom makes the observance of a law seem easy, whereas a new law tends to offend our sense of freedom, and the observance of it is always attended with some difficulty.

A law, we said, should change when the general good requires its abolition, but this change can only be effected by the law-giver. He can, however, effect this change in either of two ways—either directly, by positive personal interference, or indirectly, by allowing a contrary *custom* to obtain. This second mode of legislation requires to be explained. Every law emanates from the Reason and will of the lawgiver. But a lawgiver may manifest his wishes by deeds as well as by words; and, by allowing a custom to obtain against a law, a lawgiver may be regarded as indicating, in deed, if not in word, his desire for its abolition. For when the violation of a law is frequently allowed to pass unnoticed by the legislator, his attitude seems to spring, not from sloth or inactivity or from some momentary desire, but from a deliberate judgment of his Reason as to what should be done. Hence, Custom can expound, abolish, or even make a law.

We should remark, however, in regard to custom that the legal value of custom is very different in different States. Where the people are the rulers (a form of government for which Aquinas makes express provision), a custom may more easily become law than

under an absolute monarchy, since, in the former case, it is the lawgivers themselves that institute the custom. We should also remark that custom *of itself* can never become a valid law. It becomes a valid law only in so far as it represents the will of the lawgiver—a doctrine which is implied in the foregoing teaching on change of laws, and to which we shall have to refer in a later chapter in our criticism of the historical school.

(*c*) Theory of the Autonomy of Reason

Statement of the Theory

Having distinguished the various kinds of law, and the sources of each, we are now in a position to criticise Kant's celebrated theory of the "Autonomy of the Reason"—that is, the theory that every man is a law to himself, that each man's Reason originates the moral laws by which he is individually bound, that actions could not be moral if law proceeded from any other source than a man's own Reason.* By this theory Kant attempted to effect the same revolution in Ethical doctrine, which, by means of the theory of the Categories, he had already tried to effect in the sphere of the Speculative Understanding. For, just as in his doctrine of the Categories, he made mind, not objects, the source of knowledge, and in a certain way regarded even objects themselves as the effect of Understanding, so, by his theory of Autonomy, Kant attempted to reverse the traditional Ethics, to show that it is in Mind, and not in an objective Moral world, that Law originates, that Reason is a law to itself, that Reason *creates* the moral law to which, in the traditional Ethics, it was supposed to be merely subject. The theory that man

* The expression *sibi ipsi est lex*, which is sometimes used by Aquinas in reference to law, means not that each man is his own law but, first, that law exists in the subject ruled as well as in the directing Reason (*in mensurato* as well as *in mensurante*), and, secondly, that it is only in so far as our own personal Reason promulgates any law to us that we are bound in conscience to obey it. Aquinas' expression, therefore, *sibi ipsi est lex*, is not to be confounded with the Kantian conception of the Autonomy of Reason referred to above.

receives the moral law from another or from anything outside himself Kant calls the theory of "heteronomy." This theory, he declares, is the source of all spurious Ethics, as the theory of Autonomy is the source of all pure and genuine Ethics.

Kant's arguments for Autonomy are the same as those for his doctrine of Stoicism already explained. Morality, he insists, must be categorical * and universal.† From this he argues that it cannot be grounded in objects outside the will (for objects, in the first place, are sought only as means to inner pleasure, and, secondly, are not universally good, what is good for one man being often bad for another ‡), nor in sense pleasure (which, being a feeling, differs in each individual). Hence law must be grounded in the will itself. But it cannot be grounded in any inclination of the will, for inclination differs in different men. Therefore it is grounded in a command or *imperative* of the Will or Practical Reason.

These arguments we answer briefly as follows :—(1) Objects are not always a means to pleasure, as was proved in our chapter on Hedonism. (2) Not all objects are indifferent, some good objects could not be evil for anybody, some evil objects could not be good ; also, if good objects can be used for an evil purpose, the fault of this misuse lies not with the object but with the will or intention, and hence the theory of Kant, that Will or Practical Reason is *good in itself,* and is, therefore, the proper ground of morality, cannot be true. (3) Pleasures do not differ in all people ; at least the attainment of the last end must give pleasure to all.

CRITICISM OF THE THEORY OF AUTONOMY

(1) Law is a command laid by a superior (and, therefore, by a distinct Reason) on an inferior, as Kant himself implicitly admits when he asserts that "man always finds himself compelled by his Reason to transact it (law) as if at the command of another." But no man can either *be* superior to himself or can *look upon* him-

* "Metaphysic of Morals" (Abbot), page 33.

† *Ibid.*, page 30.

‡ Kant argues, in addition, that common opinion refuses to place the morality of an action in the effect it produces, or in anything except the inner intention. Our point against this argument is that it does not disprove the possibility of morality being founded in objects, for inner intention may be the intention to gain some outer end or object.

self as his own superior. Therefore, no man can impose a law on Himself.*

(2) Some Ethicians have tried to show that the giving of a law or the issuing of a command to one's self is a *psychological impossibility*. This view we do not accept; and it is expressly denied by Aquinas ("S. Theol.," I., II., Q. XVII., Art. 6). But though it is possible to command one's self, we still claim that if law *ordinarily* consisted in commanding ourselves, the end of law would be in most cases frustrated; for the end of law is to *induce* or constrain individuals to do certain acts, and hence it usually supposes that the wills of those whom it binds are not already determined to those acts. But the man who issues a command to himself to do a certain act has already willed that act, else he could not have issued the command. Hence, autonomy is opposed to the ordinary end of law or to what is ordinarily regarded as its essential effect.

(3) Punishment is a necessary accompaniment of law. But on the theory of Autonomy there could be no meaning in punishment. For if a man's own Practical Reason commands him to do something, and if the same Practical Reason or Will of the individual refuses to do that something, then it would be impossible to punish the refractory subject without punishing also the legislator, which is absurd. In this theory the same individual Reason is both governor and governed, the same man is both good and bad—that is, both urges to the doing of the good act and refrains from doing it. If, therefore, under this theory you punish at all, you necessarily punish the good with the bad, the legislator with the subject, and thereby frustrate the essential effect of punishment, which is, as we have already seen, to neutralise the ill-gotten pleasure of the evil act and to make of the delinquent a good man. This end cannot

* Even Kant's claim that law proceeds from Reason as noumenal, and is laid upon the Reason or will as phenomenal, will not explain away this difficulty. If the will is really bound by law it is bound noumenally, and noumenal will is not superior to itself. It therefore cannot impose a law upon itself.

be achieved if good and bad, legislator and subject, are punished indiscriminately.*

(4) To look upon each man as his own legislator is to deprive all earthly rulers, and God Himself, of all authority over the individual—a consequence, we think, which no man should be prepared to disregard. Of course, it may be said in reply that, even though law sprang from our own Reason, still it is possible that Reason will always bid us obey the Divine commands and those of the State, and that, therefore, Autonomy only emphasises and confirms the Divine Authority. Still, the fact remains that, even if our Practical Reason were to re-affirm the Divine Authority, still the authority of God and the State to command us is represented, in this theory, as derived from our own Reason, a doctrine which we cannot but regard as full of danger both to Religion and to the State.

(5) If the logical outcome of the Critique of *Speculative* Reason, in which Unity, Plurality, Causality, Substance, &c., are represented as categories of the Understanding, is subjectivism (or the theory that the real world is not what it seems to be, that what seems to be objective fact is only a form of the mind), then the logical effect of deriving the moral law from the individual Reason, as is done in the Critique of Practical Reason, must be to substitute for objective fact a theory of subjectivism in Morals, or the theory that the Moral world and its authority are not what they seem to be, that, whereas they seem to hold objectively and independently of our wills, they really spring from ourselves. Both theories lead directly to scepticism.†

* Again, we fail to see how Kant's distinction of noumenal and phenomenal will affects our argument. Even if the noumenal will issues the law and the phenomenal will receives and disobeys it, how are we, in inflicting punishment, to secure that the punishment we inflict will reach the phenomenal will alone?

† The points of analogy between the subjective Categories of the Understanding and the law of the practical Reason are very many in Kant's theory, and they serve to confirm the force of the argument given above—that what is regarded as true of the categories should be regarded as true also of Autonomous law. Some of these points of

These last two arguments, drawn from the consideration of consequences, should lead us, if not to reject this theory of Autonomy altogether, at least to examine it closely, and to require a full and adequate statement of its grounds, before giving it any credence. We have shown, in the present section, that the grounds on which this theory rests are neither adequate nor convincing.

THEORY OF WILL AUTONOMY

The Kantian doctrine of the Autonomy of Reason has of late been superseded by other theories of autonomy, two of which we shall notice very briefly here—namely, *that of Will-Autonomy* and that of *Immanent Heteronomy* (the latter theory being radically a theory of Autonomy, though opposed to Autonomy in name).

The cardinal principle of the theory of Will-Autonomy, as expounded, *e.g.*, by Dr. Lipps,* is that man is a law to himself, not because Reason commands him to do certain acts, but because he has from nature an appetite for these acts. The man who does anything from inclination, Dr. Lipps tells us, acts from himself, and he who acts from himself is rightly regarded as autonomous.

Our criticism of this theory is that to have an inclination to do something and to impose on ourselves a law of doing it (which latter is the assumption contained in every theory of Autonomy) are very different concep-

analogy are the following:—(*a*) Both, it is asserted, spring not from objects but from subjective faculties; (*b*) both are empty forms without content; (*c*) both are applied to the things that they govern not immediately but through certain mediating conceptions. The mediating conceptions in the case of the Categories are the Schemata of the Imagination. In the case of law the mediating conception is the "typic of the Understanding"—that is, a universal case of the realisation of law in concrete nature. This typic, Kant tells us, is none other than the Categorical Imperative. The distinction between the schemata and the typic in Kant's theory is that whereas the schemata are applied to objects which the Understanding does not create, the typic is applied to acts which the Practical Reason creates—namely, moral acts.

* "Die Ethischen Grundfragen," Lectures 4 and 5. This theory of Dr. Lipps we regard as a natural and necessary reaction against the extreme intellectual formalism of Kant's doctrine.

tions. There are thousands of things to which a man is inclined by virtue of the appetites within him, which, yet, a man is free to resist, and hence, even though our appetites incline us to certain objects, we are under no moral necessity to obey these appetites, unless some *further* law arises which urges us to their fulfilment. Mere inclination to an object could not of itself give rise to law. The theory of Will-Autonomy, therefore, cannot be regarded as a sufficient ground of law or obligation.*

THEORY OF IMMANENT HETERONOMY

The theory of Immanent Heteronomy is explained and defended by Ed. von Hartmann in the chapter "Heteronomie and Autonomie" of the "Ethische Studien." The supreme lawgiver, he tells us, lives not without, but within, the world, and is not distinct from ourselves. The theory that places Him in invisible light beyond the world—the pseudo-moral theory, as he calls it, of transcendent heteronomy—is a result of a certain illusory process of "projection," by which what is really within us is represented by our imagination as without.

On the other hand, we must not identify the supreme lawgiver, as Kant did, with our individual Reason, since individual Reason could only give rise to contingent precepts without either the binding power or the permanence of genuine laws.

The true lawgiving Reason is the Reason or Mind of Society, and this Reason Ed. von Hartmann (following the doctrine of the Solidarists already noticed) explains as the true being and substance of all individual Minds.

* Dr. Lipps regards blind obedience to the will of another as sinful, since blind obedience does not distinguish prudent and rightful from imprudent and wrong obedience. The same theory is taught by Fichte. Our answer is that Religion (Dr. Lipps' attack is mainly on the obedience of religion) never inculcates blind obedience in this sense. Religion and the natural law forbid us to obey any command of any superior which is evidently wrong or unjust.

This Universal Reason being one with Humanity, the source of human law is *immanent* in the world; being, however, wider than individuals it is to be regarded as a heteronomous principle in so far as it legislates for individuals.

"Immanent Heteronomy," he writes,* "is *heteronomy* only for the individual as such, but, for the whole people, as individual of a higher order, it is *autonomy*. . . . The lawgiver in the case of this heteronomy is not an external ego but the people themselves—the higher (social) organism, of which each individual feels and knows that he is a member and an integral part. The individual is a part and member of this lawgiver, and (therefore) participates in the lawgiving of the State . . . according to the degree in which his (share of) membership allows him to participate (in the making of its laws). . . . In this sense heteronomy may to some extent be looked on as a system of laws left us by past generations, as a kind of inherited Völks Autonomie, in so far as the living generation is originally one with its direct predecessors, and cannot be thought of out of that relation."

Criticism.—The chief points in this theory of "Immanent Heteronomy" that arise for criticism have already been noticed in various parts of this work. Thus, the doctrine that the individual is not distinct from Society, but is related to it as a mere part is related to the whole, is fully examined in connection with the theory of the Solidarists in our chapter on Utilitarianism.

As regards the main contention of Ed. von Hartmann—the contention, namely, that law is imposed on the individual by the Universal Consciousness—our criticism is that, if the "Völks-Bewusstsein" referred to is really one with the individual consciousness, then this theory of Immanent Heteronomy is open to all the arguments that we have brought against the general theory

* "Ethische Studien," page 114.

of Autonomy as formulated by Kant. If it is not one with the Individual, then, in so far as it is not one with him, it is not a theory of Autonomy but of Heteronomy, of Transcendent (not immanent) Heteronomy, and the supposed difficulties of Heteronomy hold, therefore, against it as against any other heteronomous theory of Morals.

CHAPTER XX

ON RIGHTS

NOTION OF RIGHT

Law, as we have seen, is a binding rule of action. It is the expression of the will of a Lawgiver binding us to do or to avoid certain things. Now, sometimes that to which the Law obliges one is the doing of some good to another person or the refraining from doing him an evil. The effect of such a law is to establish in one person the duty to do or not to do something, and in the other person the right to its being done or avoided.

Right, then, is a result of law. It springs from law simultaneously with duty. Right and duty are the two *termini* of the one relation created by law. Thus, the law that binds a man to pay for what he buys, establishes a relation between the seller and the buyer, which relation is, on the side of the seller, a right to payment, and, on the side of the buyer, a duty of payment. So, also, the law that binds parents to support their children establishes in the parent the duty, and in the child the right of support.

Now, it is evident from the examples we have just given—that of the seller of goods and that of the child—that right is always a *power* of some kind, something which enables one to have or to do something. But Right is a power of a very particular kind, as will be seen from the following example. Every man has a Right to the exercise of his faculties. He has a Right to walk, to speak, to work, to eat, without interference

from other people. Now, a man's power to keep off unjust interference from others is two-fold First, he can ward off interference by means of physical power—the physical power of hands, and feet, and firearms. But this is evidently not the kind of power referred to when men speak of Right. For, even when physical force avails us nothing, when, for instance, others so overpower us that we are unable to resist them physically, or even when the State is unwilling or unable to help us, there still remains to us in many cases *another power* in virtue of which we are justified in claiming something as ours, of calling something our own, even though we know we may never succeed in keeping or obtaining that thing. This power we speak of as a *moral power.* It is the power conferred on us by the moral law, a law which forbids undue interference with our liberty, a law which creates in others, if not a mind, at least a duty of respecting our liberty. And to this moral power we give the name of Right, which, therefore, we define as the "moral power (facultas) of doing or possessing something." The existence of such a power in us depends on the existence of a moral law, from which law Right follows as necessarily as any effect follows from its cause. If there be, for instance, in existence a moral law that parents should support and educate their children, then children have a Right to support and education. Right, as we said, is a relation established by law, and, we repeat, it is a necessary consequence of law.

The question how far this kind of power is *efficacious*—that is, how far it is able to influence men to avoid injustice—is outside the scope of our present enquiry, which concerns the *meaning* of Right only. But it may not be out of place at this point to quote our view that, though bad men may respect only physical power, with good men the moral power would seem to be the more efficacious, for most good men avoid injustice, not because of the terrors of punishment, but from an inner sense of their duty to others, and of respect for others' Rights.

THE PROPERTIES OF RIGHT

Right has three principal properties—namely, (*a*) inviolability, (*b*) limitation, (*c*) coaction.*

Inviolability. The first and fundamental property of Right is its inviolability, or the fact that a man must not be interfered with in the exercise of his Right. By inviolability we mean that if a man has a right to sing, to walk, to hunt, then no one can lawfully prevent him from doing these things. Every right involves this property of inviolability—that is, every right involves necessarily and essentially, besides the conception of lawfulness to do a thing, the conception of a duty in some other person not to hinder the doing of it.† In no intelligible sense could I be said to *have a Right* to walk the street if every man could lawfully prevent me from doing so. When prevented from walking, I protest, and when asked why I protest, or why I should not be prevented, I answer, because I have a Right to my liberty, meaning thereby, not merely that I am physically *able* to walk, or that it is *lawful* for me to walk, but, also, that if others prevent me from doing so they do wrong.

Limitation means that one Right can limit the exercise of another, that in the exercise of a Right we are not free to disregard the counter-claims of others. We must conceive the moral laws from which rights spring as making up one organic system, just as the parts of the body make up one organic bodily system. And just as the functions of one part of an organism limit the functions of others—that is, as no part should be exercised prejudicially to the others—so due regard must be had in exercising any Right, or in following any law.

* Our meaning for these expressions is not quite the same as that given by some Scholastics.

† German writers give to the conception of "lawfulness to do" or "not to do" the name *Erlaubtheit,* whilst inviolability they call *Unversetzlichkeit.*

The existence of *defeasible* rights, or rights that can be withdrawn, does not affect the view stated above that all rights are inviolable. For even defeasible rights are inviolable as long as they remain.

to the whole system of Rights and laws that regulate human conduct. Thus, the law which gives a man power to keep for himself what he produces is limited and conditioned by other laws, such as the law of charity, which binds a man to help his neighbour. Also, the Right of one man to liberty in the use of his faculties is limited by the Right of another man to the same. The extent of a man's Rights depends *largely* upon this property of limitation.

Coaction. The third property of Right is that of coaction (Erzwingbarkeit). The power or Right of coaction is the moral power that attaches to each Right of using such violence as is necessary for its defence. Naturally the necessity for violent defence appertains to external Rights only. Thus, a father could not compel the love of his children by violence, though he has a Right to their love. But external Rights, like that of property, carry with them this Right of defence or of coaction—a power which arises from the fact that he who has a Right to the end has a Right to such means as are necessary for obtaining the end. Hence, if a man has a Right to possess a house, he has a Right to the use of violence, either personally or through the State, in its defence, provided, as we have said in the last paragraph, that in defending his house he offend against no law and no other person's Right.

We may here call attention to *two erroneous theories on the relation of Right to coactive power*, which are to be found in the works of Ihering, Hegel, Thomasius, and other modern Ethicians. The first is the view that the power of Coaction which attaches to Right is to be regarded, not as a property of Right, but as its essence, that Right *is* coactive power. Thus, Ihering * defines Right in one place as the "conception of all the coactive laws obtaining in a State," and, in another place, as "the securing of the conditions of social life in the form

* In his work, "Der Zweck im Recht."

of coercive power." And Hegel * *defines* abstract right as the "right to use force."

Now, we maintain that right cannot be the same thing as power of coaction, since the power of coaction presupposes right, and follows from it as a consequence. It would be an absurd thing, for instance, for the State to defend a man's property unless it knew that the man had a Right to his property. Defence, therefore, presupposes the Right of ownership, and, hence, it is properly regarded as a consequence of Right—not as its essence.

The *second* error referred to concerns the *nature* of this power of coaction. The reader will remember that when we spoke of Coactive Power as a property of Right we defined Coactive Power as the *Right* to Coaction, not as actual coaction or the physical power of coaction. By coaction here we mean that a man who owns a house has a *right* to defend his house against aggressors. But many of those Ethicians to whom we have just referred identify Right, not with the *Right* of coaction, but with actual physical power of coaction, so that, according to these philosophers, a Right to anything is nothing more than the actual physical power that we possess to defend or hold that thing. Now, this theory we cannot allow. In the first place, Right is not the same thing as Coaction; and, in the second place, Right does not involve a physical power of actual coaction, but only the *Right* to coaction in its defence. A man has still a right to his house even though he is not able to defend it, and even though the State will not defend it for him. Might and Right are very different things. Right appertains to the moral, Might to the physical, world. Right is a moral power, Might is only brute force. We may have a Right, therefore, to a thing which still we are unable to defend. But what, it may be asked, is the good of a right that cannot be defended by actual violence—what good, for instance, is the Right to a house that we

* "Philosophy of Right" (Dyde), page 92.

cannot defend, and which the State refuses to defend? "What is Right without power," asks Ihering,* "but a fire that burns not—a light that does not illumine?" We answer—Right without might is like the fire that is smothered and will not be allowed to burn, the light that is shut in, so that it cannot illumine. Right without might is, therefore, a real thing, just as the moral law is a real thing. And it has this effectiveness, that he who violates it sins against the moral law—a consideration, as we have already said, that may not weigh with evil men who care nothing for justice, but which will weigh with the just who hate evil of every kind, and will respect a man's liberty and property even though the State fail in its duty to defend them. But we must remember, also, that, even though a Right of nature be undefended by the State, it will not remain undefended by nature herself, and that every right will in the end be vindicated by Nature's chief Legislator. Right, even though it may not always be vindicated here, must necessarily be vindicated at some time and in some place.

But the point on which we wish now to insist is that every Right involves a Right of its defence, and that the right to defend may still remain, even though we be not physically able to use our Right. It is to this *Right* of defence that we allude when we say that Coaction is a property of Right.

DIVISION OF RIGHTS

Rights are divided in respect of—
Meaning into objective and subjective.
Ground into natural and positive (or human).
Origin into connatural and acquired.
Subject into public and private.
Object into (*a*) positive and negative, and into (*b*) inalienable and alienable Rights.
Binding power into perfect and imperfect, or juridical and non-juridical.

* We should explain that even though Ihering regards right as meaningless without power of actual coaction, he also regards it as meaningless without a moral law. Both Hobbes and Spinoza identify Right with might. Spineza defines Right as that which a man is able to do.

(1) *Objective* Right means that thing to which we have a Right—the act which we have a Right to do, the object which we have a right to possess.

Subjective Right is our moral power or claim to do or have that thing.

(2) *Natural* Right is a Right conferred by and grounded upon natural law.

Positive Right is a Right conferred by and grounded upon positive law.

(3) *Connatural* Right is a Right which one possesses from birth independently of any human conditions—for instance, the right to life. Even from birth a child may have a Right to certain lands willed to him by his father, yet, since such a Right depends on a human condition, we do not speak of it as connatural.

Acquired Right is a Right which we come to possess in time on the fulfilment of some condition—for instance, a man's right to payment for goods sold.*

(4) *Public* Right is the Right of a perfect community to have or do something.

Private Right is the Right of a particular individual, or a family, or of an institution which is not a perfect community.

(5) *Positive* Right † is a Right to do.

Negative Right is a Right to abstain from doing.

Inalienable Rights are Rights to things which are also our duty, and to which, therefore, we cannot renounce our Right – for instance, the Right to life.

Alienable Rights are Rights that we can renounce—for instance, the Right to drink alcohol.

(6) *Perfect*, ‡ or juridical, or legal Right is a Right which is strictly enjoined by law (whether by the natural law or the law of the State). It is therefore a Right the fulfilment of which is absolutely necessary to morality as long as

* It should be noticed that acquired rights, though opposed to connatural rights, are not opposed to natural. Thus, a man's Right to payment for goods sold is an acquired Right, but natural, because it depends on the natural law of justice.

† Distinguish "positive" as opposed to "negative" and "positive" as opposed to "natural."

‡ We here use the words "perfect" and "imperfect right" in the Scholastic sense. Some other senses of the words are noticed later.

the law which establishes the Right stands. Examples are the Right of a seller to payment, of a child to support, of a parent to respect from his children.

Imperfect, or non-juridical, or non-legal Rights* are Rights which, though not strictly enjoined by law, and consequently not strictly necessary for morality, yet are necessary to the *seemliness* of morality and of virtue. Now, of these latter rights some are more necessary than others, for some are necessary to the *decencies of ordinary virtue* (*ad honestatem moris*), whilst others are necessary only for the more perfect life, or for the fulness of morality and virtue (*ad majorem honestatem*). Thus, to tell a lie, apart altogether from its being a violation of God's law or of the natural law, is also an offence against him to whom we lie. It is, therefore, not in accordance with the decencies of ordinary social life, which forbid our being offensive to other people. Consequently, even if a lie were not a wrong to my own nature, it would be wrong as offending against an imperfect Right of him to whom we tell the lie. Again, to be ungrateful to a benefactor, though not strictly forbidden by any definite law, is still an offence against the ordinary decencies of social life. A benefactor, therefore, has an imperfect right to gratitude.

But there is, as we said, a second class of imperfect Right. There are many things which are not *due* to others, which they cannot claim from us, to omit which is no offence against others, but which yet are necessary if we would be perfect men personally and socially—for instance, we must be both affable and liberal with others. These Rights are necessary only for the fulness of morality.

Now, these three examples of Rights—that others should not tell us lies, that those whom we benefit should be grateful to us, that men should treat us affably and with some liberality—are all cases of imperfect

* Or, as they are sometimes called, *claims*.

Rights or claims, and the duties that correspond to these Rights are imperfect duties.*

The meaning here given to the expression "imperfect right" is that which generally attaches to it in Scholastic works. And, as this meaning is frequently distorted by recent writers on Ethics, it may be well to repeat that a perfect Right is one that is bestowed in strictness by law *whether that law be a law of nature or of the State,* and that, therefore, a Right can be perfect even though it is not conferred by the State, or even though the State could not or would not vindicate it in the sense of enforcing its observance. Thus, the Right of a father to his child's respect is a perfect Right, although it is not a Right which can be enforced by the State, except the disrespect given be open and of a certain violence. Hence Kant is wrong in defining a perfect Right as one the violation of which will be punished by the State. A perfect right is one which is strictly *enjoined by any law,* whether natural or positive.

THAT SOME RIGHTS ARE NATURAL

We distinguished above between natural and positive (or human) Rights—that is, between Rights conferred by natural law and Rights conferrred by human law. Now, many Ethicians deny that any rights are natural, and insist that all Rights are conferred by positive human law or by the State. This theory it will not be necessary to disprove here. For we have already shown that the natural law is a reality, and since Right is a

* It is possible that the same thing might be a perfect duty from one point of view and imperfect from another. Thus, we are bound to refrain from lies by a two-fold duty—a perfect duty not to violate our own nature and an imperfect duty to refrain from the offence which the lie offers to another person. Kant draws a different distinction from that given above between juridical and non-juridical or Ethical duties. Juridical *duties*, he says, are those that can be enforced both by our inner conscience and by external legislation. Ethical duties are those that cannot be enforced by external legislation. Juridical duties he also calls perfect or determinate duties, or *officia juris.* Ethical duties he calls imperfect, or indeterminate duties, or *officia virtutis.* Kant is, however, not always consistent in his use of these terms.

consequence of law, it follows that any particular Right must necessarily take on the character of the law in which it originates. The natural law, therefore, will give rise to natural rights, as the positive law confers positive rights. Thus, the right which every man has to his own life, and to such means as are necessary for sustaining it, is a natural Right. Also, the right of men to the fulfilment of contract, to their good name, to the fruits of their labour, the Right of a husband to fidelity on the part of his wife, the Right of parents to respect on the part of their children, and of children to support on the part of parents, the Right of the State to co-operation and obedience on the part of its subjects, and of subjects to protection by the State, the Right of individual liberty (within certain well-defined limits), or of immunity from interference from others, the right of personal development, the Right of the State to maintain itself and to oppose aggression from other States—all these Rights are from nature, since the laws on which they are grounded are natural laws, these laws being again grounded on natural appetites, as we saw in our chapters on The Good and on Law.

Taking it for granted, then, that by making good our doctrine that some appetites and laws are natural we have also shown that some Rights are natural, we now go on to prove our thesis negatively—that is, we go on to meet the principal objections which modern Ethicians have raised against our doctrine that some Rights are natural.

(1) It has been contended by Neukamp * that Rights concern the public welfare, as "Medicine" concerns the individual welfare. But medical laws are determined empirically from the known requirements of bodies. Therefore, Rights also should be determined empirically. But, if Rights be natural, they are determined not empirically, but *a priori*—that is, from some *a priori* view of what man *ought* to be rather than from what he *is*. Therefore, Rights are not natural.

* "Einleitung in eine Entwicklungsgeschichte des Rechts," page 49.

Reply.—If Rights follow the analogy of medicine they must be natural. For, though medical laws are discovered by the investigation of our human constitution, still the aim of such empirical investigation is, first and before all, to determine the *natural* requirements of the body—that is, to determine what the human body requires in order that it may come up to nature's standard. For this purpose we determine the natural position and structure of the organs, their functions and natural needs, and on the consideration of these natural requirements we build our science of medicine. Now, upholders of the theory of natural Rights determine Rights after the very same fashion as this. They determine Rights not *a priori*, as our opponents claim, but by an empirical investigation of men's appetites and needs and the laws to which these needs give rise; and having thus determined nature's standard they deduce from it the table of our natural duties and natural Rights. The analogy with medicine, therefore, strengthens rather than disproves our theory of the existence of natural Rights.

(2) The second objection against the theory of natural Rights, and the objection which weighs perhaps more than any other with the modern Ethician, is that it seems not to fit in with the laws of evolution. Development, it is argued, involves change—constant and wide-extending. Development recognises, as Savigny writes, no point of rest. Everything is movement from one stage to another. Natural Right, on the other hand, write our opponents, connotes unchanging law, absolute rest. Between these two conceptions there can be no harmony. "We have," writes Neukamp,* "to thank the Evolution theory in its application to the Sphere of Right for the fact that the doctrine of Right has finally set itself free from the conception of a natural ground of Rights." And again, "the conception of Evolution and of natural Right are absolutely irreconcilable."

Reply.—First, Evolutionists make the false assump-

* "Einleitung," page 41.

tion that everything in man is subject to development. This assumption we cannot allow. A limb may, no doubt, alter its shape and may even atrophy from disuse; but without head, stomach, lungs, and heart it would be impossible to support human life. Part, therefore, at least, of our human constitution is unchangeable. So also many of our appetites are permanent and unchangeable, and on these are founded our natural Rights.

Secondly, unless there were in things an element of stability it is impossible that they could develop. It is because the plant has permanent needs that it is able to alter its shape and colour according as environment acts upon these needs. So also, unless some laws were permanent and natural, it is impossible that morality should develop.*

Thirdly, our opponents declare that if Rights are natural they could not develop. On the contrary, we say, *because* there is in Right a natural and unchangeable foundation, therefore development is a necessity. The satisfaction of an unchangeable need in changeable circumstances involves, as a rule, change in our conduct and treatment of that need. So also the *same* Right cannot always be fulfilled in the same way, while the circumstances vary. Natural Right, therefore, admits of, and implies, development.

(3) A third objection is that the State can only annul a Right which it creates. But the State can annul many Rights of justice, as is evident from the existence of Statutes of Limitations. Therefore, Rights of justice are a creation of the State and not of nature. And if Rights of justice are not natural, no Rights are natural.

Reply.—We deny the major proposition of this argument. The State has a *natural* Right to do anything that is necessary for the common good, and, therefore,

* A permanent element is necessary for the very conception of continuity, which is a necessary part of the idea of development. Change without continuity is not development. German jurists distinguish between change and development in Right by the words "*Rechtsveränderung*" and "*Rechtsentwicklung*." The second implies some stable element in Right.

it has a natural Right to regulate the relations of buyer and seller, for on nothing does the "common good" depend so much as on the proper ordering of contracts and the right disposition of property. Hence, the State has full power to place conditions to contracts, and to annul a seller's right to payment, when these conditions are not fulfilled.*

(4) Jurists raise the difficulty that to admit that some Rights are natural would be most awkward for the State, since the State expects that its judges will rule according to the law of the land only.

Reply.—The fact that judges are expected to rule according to the law of the land only is proof, not that no natural law or Right exists, but only that the consideration of the natural law and of natural Right is to a very large extent outside the province of judges. The natural law, it is supposed, is fully consulted for by the legislator when the laws of the land are being introduced, and it is right that the judge should trust these laws and rule according to them only, whenever they are found to cover the case in point. We insist, however, that a judge has often to give his decision on points of natural law, when the positive law fails him,† and, also, that it would be unlawful for him to administer any law that was clearly antagonistic to nature. As regards the awkward effects referred to, we may make the admission that for *judges* the existence of a natural law might often

* This power the State very rarely uses. It "bars the remedy" much oftener than it "extinguishes the title."

Modern jurists, like Savigny and Neukamp, lay great stress on the analogy between "Speech" and "Right," and argue that if speech may wholly change, Right also may change, and therefore that Right cannot be natural. We find it hard to see any point in this difficulty, and therefore shall not discuss it at length. Language bears no analogy to Right. Languages are not distinguished into valid and invalid as rights are. Language is nothing more than practice. Also, if men agreed to abolish all existing languages the world could still go on. If we agreed to disregard the Rights of parents, children, husbands, &c., nature would at once rebel.

† Some jurists claim that the positive law, since it creates all Right, must necessarily cover all disputed questions in Right; in other words, that there are no *lacunæ* in the positive law. This claim, we think, is not borne out by the experience of lawyers.

be an embarrassing and a distressing thing, but we contend also that the natural law is the one great safeguard of the *community* at large against oppressive and evil legislation, and also against maladministration of even good laws.

These difficulties, then, do not disprove our theory that some Rights are natural.

ON THE RELATION OF RIGHT TO MORALITY

From what precedes it will be plain that we must regard Right as founded on law, and since the laws by which human acts are directed appertain to the moral order, it follows that we must regard Rights as also appertaining to the moral order—as a branch of morality—as dependent on Morality.

Against this view some Ethicians, such as Kant and Thomasius, maintain that Right does not depend on morality, that they have different objects and a different origin, the one (Right) originating in the law of the State, the other (morals) in the moral law; the one appertaining to external action, the other to internal motive; that, consequently, there is a well-marked and an absolute line of cleavage between right and morals.*

The following two arguments will, we believe, make it evident that Right cannot be divorced from morals—that apart from morals Right would have absolutely no meaning.

First, Right, as already stated, depends on natural law. But, regarded as a rule of human action, the natural law *is* the moral law. Therefore, Right depends on moral law.

Secondly, in no sense can I be said to have a Right to keep money except it be understood that other men are under an obligation not to take it from me. But

* A similar, though not quite identical, view of Right is taken by Stahl in his "Philosophy of Right." This philosopher insists that above Right there is a moral order, or what he calls a *Gottes-Weltordnung*, to which all Right should conform. Yet Right, he declares, is not intrinsically dependent on this order, and even when it does not conform to the moral order it may still be a valid Right. A similar view to this is criticised by us in our chapter on Law.

obligation belongs to morality. Consequently, Right, if it be independent of moral law, can have no meaning.

The following argument is sometimes brought to show that Right is independent of Morality. Right and morals belong to two totally distinct spheres of human life.* The one (Right) has to do with external action—the other (morality) has to do with inner motive. Legality (or Right) and morality thus stand apart from, and are independent of, one another.

Reply.—We cannot admit this distinction of *inner or subjective morality, and outer or objective Right.* Rights have not to do merely with the outer act, for, besides Rights that concern the outer act, there are also Rights that concern the inner will. A father has a Right to the love of his children, just as children are obliged to love their father. And the love that is due to a father is something more than mere external reverence. It is an inner act of the will. Inner love, therefore, can be the object of Right. Also, men have a right not merely to freedom from attack on the part of others, but also to freedom from evil judgment. I can be quite as unjust to a man by judging him wrongly, or getting others to judge him wrongly, as I can by stealing money out of his pocket. Hence, Right does not concern outer acts merely.

Again, outer act cannot be completely separated from inner motive, for they both make up one complete human action, and hence, even if Right had to do with the external act only, it would not on that account be dissociated from morals. Just as an outer act can be free, but not independently of inner act (since it is free because it makes one object with inner act), so even though Right referred to outer act, it would still depend on inner moral law.

* Thomasius completely separated the objects of Right and Morality. Morals, he said, are meant to secure *inner*, Rights to secure *outer*, peace. Kant, however (at least when treating of Right in the abstract), allowed to Morals the control both of the inner and the outer man (see "Metaphysic of Morals," Abbot, page 269); but to Juridical Science—*i.e.*, to the Science of Right—he allowed the control of outer action only.

We cannot, therefore, admit any such complete cleavage as that insisted on by the positivists between *inner morality and outer Right.*

COROLLARIES.—(1) A Right which opposes the moral law is no Right. Some jurists admit that any Right has *formal* validity which, though opposed in its content to moral law, has still been conferred by a competent authority. We claim that if Rights are essentially dependent on morality, then any Right which opposes morality is null and void, both *formally* and in every other way.

(2) Only a moral Being can be the subject of or possess Rights. Animals, therefore, have no Rights. A man may, indeed, have duties *about* animals, but he cannot have duties *towards* them, for they have no Rights. But of this we shall have to speak more fully in a later chapter.

ERRONEOUS THEORIES OF THE ORIGIN AND NATURE OF RIGHT

We must now take up for consideration some of the more important of recent erroneous theories on the origin of Right.

(1) *Theory that all Rights originate with the State.**

The most important, because the most widespread, of all modern errors on the origin of Right is the theory that all Rights originate with the State. It would be difficult to say how far back this theory dates in the history of Philosophy. It certainly was taught by many very ancient philosophers, since it forms part of the very ancient theory that morality originates with the State. But many modern philosophers have discussed this question of the origin of Right on its own account—that is, apart altogether from any question of the origin of the

* Taught by Hobbes, Spinoza, Kant, and others. A very good account of modern theories of Right is to be found in Walther's "Naturrecht und Politik."

Moral law, and have decided that, though the *moral* law is independent of State law, a *Right* originates with the State, and is, therefore, dependent on the will of the Ruler.

Criticism.—We admit that the State can confer some Rights, but our present contention is that not all Rights originate with the State.*

(*a*) It cannot be that all Rights originate with the State, since we have conclusively shown that there are such things as natural Rights. There must be natural Rights because there are natural laws, Right being simply a result of law. Thus, children have a natural Right to support from their parents, and every man has a natural Right to his life, and to the means of supporting it; husbands have a natural right to fidelity on the part of their wives, &c. None of these originate with the State.

(*b*) The State cannot be the source of all Right for it cannot be the source of its own Right to existence. And, if it cannot originate its own Right to existence, then, unless its Right to existence be from nature, from what can it be derived?

(*c*) Again, if the State has no natural Right to its own existence, it could not create or *confer* Rights on others, and if it attempted to do so, nobody would be bound to heed its action.

(*d*) The individual has Rights as against the State. For instance, the individual has a Right to his life, which the State cannot take away except the individual be guilty of some crime. But, if there be Rights against the State, the State cannot be the source of all Rights.

(*e*) If the State be the source of all Rights, then how could one State have Rights as against another State?

* The theory that all Rights originate with the State by no means excludes other theories of Right, such as the theory that Right originates in *contract* or in *custom*. For Contract may be *State contract* and Custom may be *State custom*. Most modern Ethicians of the Historical School hold the two theories simultaneously—that all Rights derive from the State and that all Rights derive from custom.

The State can rule its own subject, but it cannot rule other States, and consequently it could not originate Rights against other States. Yet each State has Rights against other States, which Rights must, therefore, be from Nature.*

(*f*) If the State originated all Rights, it could confer upon itself a right to do anything that it wished to do, and, in that case, the State could never do wrong. But the State can do, and has done, wrong; therefore, rights cannot all originate with the State. Hegel, indeed, contends that a true State could not do wrong—that if wrong is done it is done by a false State—that a State which does wrong is no more a true State than the hand that is cut off from the body is a true human hand. We rejoin—how shall we know, *unless we presuppose Rights of nature with which to compare the enactments of the State,* whether the actions of a State be wrong or right, and, therefore, which is the false and which the true State? Unless there be a law of nature by which to determine the false and the true, all States should be equally true, and all acts of the State equally just. But laws of Nature involve Rights of Nature. Therefore, there are Rights that are not from the State.

(*g*) The Argument from consequences we need not labour. The theory of the "State—the origin of all Right" has many evil consequences, some for the State itself, some for the individual. One consequence that concerns the State itself is that, if this theory be true, then, the State has no authority from Nature to rule or to confer Rights; and if the State has no natural authority its ruling need not be respected. A consequence for the subject is that, if the State be the source of all right, the individual can have no right against the State. This latter consequence, we claim, mankind could never

* Hegel contends that all Rights originate with the absolute State, not this or that State; and many Hegelians would, therefore, answer the above difficulty by saying that particular States derive their Rights against other particular States from the Absolute or Universal State. We contend, however, that there is no such thing in existence as a Universal State, and, if it does exist, it is not known.

recognise or accept. Hence, it is not true that all Right originates with the State.

(2) *Theory that all Right is based upon contract.*

Practically all that we have written on the theory of the "State—the source of Right" applies equally to the theory defended by Hobbes, Fichte, and many others, that all Right originates in voluntary contract. We add, however, one or two arguments which are proper to the contract theory, and which the reader can himself further expand and illustrate. Admitting that some Rights are based on contract, we claim still that there are some Rights that are not based on contract, and that, in fact, no Right can be based on contract *alone*. For, *first*, if all Rights were based on contract there could be no such thing as inalienable Rights. Inalienable Rights are Rights which we cannot of our own accord renounce—*e.g.*, the Right of a father to respect from his children, of a child to support, of the State to maintenance. Were these Rights the result of voluntary contract the parties who made the contract could break it by mutual agreement, and so remove the Right. But, since certain Rights are inalienable, this is impossible. A father, for instance, cannot renounce his Right to respect, nor a child his right to support and education. *Secondly*, since there is nothing that a man may not contract to do, so there is nothing to which, if this theory be logically worked out, a man may not acquire a Right. If all Right originates in contract, then by a simple process of common agreement men might acquire a Right to the most iniquitous conduct. But since all admit that some acts could never become our Right, it follows that Rights cannot be all based on contract. *Thirdly*, the right of the contracting parties to keep each other to the contract could not be itself the result of contract, since it is prior to, and necessary to, the very conception of a contract. *Lastly*, we asserted that no Right can depend on voluntary contract *alone*. This follows from what is said above—that all contract of its nature presupposes certain natural Rights of contract.

(3) *Theory of the historical school that custom is the ultimate ground of right.*

Note on the Historical School. This school may be described as a reaction against the ultra *a priori* theory of Kant to be described in the next section. For, Kant had, in deducing all Right from the mere conception of a conflict of all men's liberties, not taken sufficient account of the State and of custom, which all must recognise as having a great deal to do with the creation of existing Rights. As a natural reaction against this over-subjectivism in regard to Right came the over-objective theory of Schelling, Hegel, and the Historical school, that Right originates in ancient customs—those customs, namely, which have ruled the world from the beginning, and developed with the world.

Amongst the older defenders and founders of this school are, as we said, Schelling and Hegel, and, also, Savigny and Puchta. Amongst recent writers its best known adherents are Bergbohm and Neukamp. Needless to say, the Historical School, just as it opposes the theory of the Positivists that anything is our Right which we may wish to make our Right, opposes also the theory of Natural Right—that is, the theory that Rights are grounded not in custom but in human nature. Neukamp,* however, calls attention to the fact, that even within the historical school itself opposition to the theory of Rights of nature was not so strongly marked formerly as it is now. Thus he declares that some, like Savigny, in spite of their opposition to Natural Right, were not able to shake themselves wholly free from that theory, since, in the first place, they admitted a certain unchangeable character in Right, and, in the second place, they regarded not custom itself but the will of the people (the *Volksgeist*), of which national custom is only the outward expression, as the ultimate source of Right. This want of thoroughness, Neukamp tells us, is found to characterise all the followers of Savigny until the most recent times. Neukamp is himself amongst the most uncompromising defenders of the pure historical theory of Right, for he will admit nothing into his theory that might even remotely be connected with the conception of a natural or an unchangeable system of Rights, or of Rights which depend on any a priori ground. "We cannot," he writes, "come by the principles of Rights by pure speculation or logical reasoning. . . . We can only arrive at an answer to questions on Rights by empirical examination of the positive Rights of each people and each age."

* "Einleitung in eine Entwicklungsgeschichte des Rechts," page 28.

The more metaphysical form of this theory—that, namely, which is grounded in the conception of a race Consciousness, or *Volksgeist*—is thus described by Prof. Cathrein in his "Moral Philosophie"—"Right is an unconscious product of the *Spirit of the People*. It dwells in the common thought of the people. It resides there, not as an abstract rule, but as a living intuition, which in practical life is transformed into the institutions known as Rights. Just as Speech, Public Manners, and Art arise unconsciously with the people, and then gradually develop, so is it also with Right. Of this gradual upward process through which Rights are formed, the highest aim and purpose is the formation of the State. *The State is not prior to Right*—it is only a step in the development of Right. Originally and essentially all Right is grounded on Custom—the customs of the Race. The function of the State is not so much the creation of Right as the formulation of it in accordance with the degree of development reached. The conscious activity of the State (legal right) is, in this matter, subordinated to the Unconscious activity of the Will of the people" (which betrays itself in national customs).

Criticism.—The central point in this theory, and the point which we now proceed to criticise, is that all Rights originate in the customs of the people.

(*a*) It must be granted that some Rights originate in custom, for some laws originate in custom (as we showed in the last chapter), and Right is the result of law. But we also pointed out that when custom originates a law, it does so, not as custom, not as mere practice, but only in so far as custom is an expression of the will of the Lawgiver. Hence, laws of custom originate like other laws in the Will of the Lawgiver. If the will of the Lawgiver be not presupposed, custom would have no power to originate a law. And, as all Right originates in law, so Rights which come from custom are always grounded on something deeper than mere custom—namely, on the will of the Lawgiver, of which custom is merely the outward expression. We cannot, therefore, sustain the theory that all Rights originate in custom.

This argument, as will be seen from what precedes, some defenders of the historical school would meet by

asserting that the customs of the people in which Rights are grounded are not to be regarded as a set of mere practices, but rather as the expression in act of the will of the people; and, consequently, when it is asserted that Rights are grounded on custom, what is meant is that they are grounded on the will of the people, of which custom is the expression.

To this we rejoin.—Either the will of the people, of which the historical school makes mention, is to be regarded as a Universal will distinct from individuals, or it is simply the sum of the individual wills. Now, the theory of a *distinct* racial will is a mere hypothesis, which, in the first place, could never be verified (and, therefore, we could only regard rights that are grounded on it as imaginary and unreal), and, in the second place, is impossible, as can be proved in Metaphysics (and, therefore, Rights grounded on it are an impossibility). On the other hand, if the Racial Will of which our opponents speak is merely the sum of individual wills in prehistoric times, then, since our present-day wills are quite as authoritative as those of our predecessors, it would follow from this theory that mankind could to-day cancel every existing Right just as mankind created them. But this we cannot allow. There are some Rights that cannot be abrogated. However, whether the Racial Will is to be regarded as distinct or as the sum merely of individual wills, it is quite wrong to speak of a theory that grounds Right on an expression of *Will* as an historical theory of Rights. An historical theory of Rights is a theory which grounds Rights *ultimately on outward custom or practice,* and not on the *authority* of a legislator. The theory which grounds Rights on the will of the legislator, even though the people were themselves the legislators, is a distinct theory from the present, and it has aready been criticised by us in the present chapter.*

(*b*) There have been bad customs and good customs, just customs and unjust customs. Hence, custom

* See Theory that all Rights originate with the State.

regarded in itself is neither reasonable nor unreasonable, just nor unjust. But, Right being the principle of Justice, that in which all rights originate must be essentially just. Hence, Rights cannot originate ultimately in custom.

(*c*) Right springs, as we saw, from Law. Now, in no department of nature is law grounded on mere practice or customary action. A stone does not fall to the earth simply because it fell in former ages. A plant does not grow to-day because plants grew yesterday. So, if there is any analogy between the various parts of Nature, it would follow that human laws cannot be based merely on the fact that men in former times uniformly did certain actions. Rather both former actions and present law are based upon necessities of nature, just as the falling of the stone in former times and its falling to-day are based upon the same necessity of nature—namely, the force of gravitation. Hence, law does not originate in custom, and Rights, therefore, which are grounded on law cannot be based on mere past customs.

(*d*) Mankind is superior to his own outward practices, as the cause is superior to the effect. Hence, mankind cannot be bound by, or subject to, its own outward practices. But if all Rights originated with human customs or practices, the customs of the race must have had power to make laws for the race, and hence they must be superior to the race—which is absurd.

(4) *The Mechanical theory of Right.*

According to Kant the individual person is *absolutely free*. But freedom is two-fold—freedom from inner compulsion and freedom from outer compulsion, or from the compulsion of our outer acts by other men. Now, in Kant's theory, Right is regarded as nothing more than freedom in the second sense—that is, freedom from outer compulsion. And since, according to Kant, all men have equal Rights, in the sense of equal freedom from outer compulsion, he defines Right as "the conception of the conditions under which the wishes of one man can be reconciled with the wishes of every other

man according to a general law of freedom." Every man, according to Kant, is a person—that is, he is free. Now, a person, like every other living thing, has need to exercise his faculties in the external world. Hence, each man has a right to external freedom—that is, a Right to use the external world without interference from others. But since the world of material goods is limited, there is only one way of reconciling the powers of different men with one another—that is, by each man using just so much of the world as is consonant with the equal freedom of every other man—in other words, by all having originally equal shares in the goods of the world. This system of the equal division of the field of external liberty is, according to Kant, the system of Rights.

Criticism.—In Kant's theory we find several unjustifiable assumptions.* For instance, (*a*) that Rights appertain to external goods only. (*b*) That all Rights can be deduced from the conception of a conflict between the liberties of each man and those of the rest of humanity. (*c*) That the goods of the world are a definite quantity, that they are not *made* by individuals, but are supplied ready-made by nature,† so that all men have an equal claim to them. (*d*) That men have a Right to any line of action which does not injure others or limit their liberty.

These assumptions we can consider only very briefly.

(*a*) Not all Rights are Rights to material things. A man has a Right to his good name, and a father has a Right to the respect of his children. But neither of these is a material good.

(*b*) If, in determining Rights, it is asserted that we must begin with the conception of the reconciliation of all men's liberties, then it is assumed that every Right is deducible from this conception of the freedom of all men. Now, this assumption we cannot allow. For, first, there are Rights which are deduced from the con-

* If these things are not assumed Kant's theory is meaningless.

† It is obvious that Kant does not give expression to this assumption. But apart from it we cannot understand his theory.

ception either of the work we do, or of some natural relation depending on some *personal* act of ours—for instance, the Right of a man to the table he makes, the Right of a parent to the love of his child. These Rights could not be deduced from the conception of freedom, much less from the conception of the equal freedom of all. *Secondly*, there are such things as inalienable Rights—for instance, the Right of a child to support—which it would be difficult to deduce from the conception of a conflict of *liberties*. If Right and freedom be one, as Kant supposes, then surely there is no Right that we may not freely surrender. Liberty in Right means the freely retaining or freely surrendering of that to which we have the Right. But there are Rights that we cannot surrender, and, therefore, there must be something in Right other than the conception of mere liberty. *Thirdly*, men have rights to coerce other men in certain cases—for instance, the Right to restrain a man forcibly from committing suicide. Such a Right as that could not be deduced from the conception of other men's liberties. *Fourthly*, the only kind of Right which Kant considers is the Right to non-interference from others, which is merely negative Right. But men have positive Rights as well as negative—for instance, the Right of the State to support, and of starving men to obtain food. Therefore, there are Rights that cannot be deduced from the conception of liberty.

(*c*) It seems to us that, in defining Right as the sum of the conditions under which all men can exercise their liberty, Kant supposes that the goods of the world are fixed in amount, that they are not to a large extent made by certain individuals, that Nature supplies us with everything. On no other understanding could he defend the view that all men have equal Rights to external liberty in regard to the goods of the world. But the world of goods is not fixed in amount—it is built up to a large extent by individuals. Were it not for human endeavour much of what is most valuable on the earth would not exist. We must, then, in considering our

Rights to the goods of the world, remember that man to a large extent produces these goods. But surely it cannot be that in determining a man's Rights to these things which he himself *produces*, we must start by allowing for the liberties of other people with regard to them. On the contrary, it is both natural and just that in estimating his Right in regard to things produced by him, we should base our calculation on the fact that he produced them, and then, having made full allowance for that fact, we might proceed to take account of the claims of other people, and of all opposing liberties. The starting point, therefore, in the determination of any individual's Rights is not necessarily that of the "general law of freedom," as Kant's theory supposes.

(*d*) We have seen already that besides inviolability there is always in Right the element of lawfulness, or *erlaubtheit*—that is, a man has a right to do only that which is lawful for him to do. I can have no right to that which is unlawful or immoral. Even, therefore, before we start to determine what liberty remains to each man after the conflict of all men's liberties is allowed for, we must recognise that there are certain actions, certain liberties, which are absolutely forbidden to us from the beginning as wrong in themselves, and independently of the liberties or wishes of others. To these we are antecedently debarred from ever acquiring a Right. Thus, a man could not possibly acquire a Right of swearing falsely, of hating God, of hating his fellow-men, a right to private sins of immorality, or to take away his own life. He could not acquire a Right to these things even if all men agreed to give him the Right. Hence, Right cannot be in all cases the resultant of conflicting liberties, for there are some objects to which we can never acquire a Right. The principle, then, of the conflict of human liberties can never be the principle on which we base right in general, and, therefore, it is not the starting point in our calculus of Rights. It is just one amongst the many factors of the calculus.

APPENDIX TO VOL. I.

Kant's Criterion of Goodness.—The Categorical Imperative.

An act, according to Kant, if it is to be morally good, must be done for the sake of law. Now, not every act can be done for the sake of law, and therefore it is of the utmost importance that we should know what acts can be brought under this motive and what can not. An act, according to Kant, can be brought under this motive, and can thereby be morally good, when it is possible for us to will that such an act should become a universal law for all men. It cannot be brought under this motive, and so could never become morally good, when it is impossible to will its becoming a universal law for men. The law—act so that the maxim of thy will may be capable of becoming a universal law for all men—is known as the Categorical Imperative. Now, the impossibility of willing that a certain line of action should become a universal law may arise from either of two reasons—*either* because we cannot even *conceive* its being a universal law, the very notion of such an act becoming a law being inconsistent with itself; *or* because, whilst the conception of such a law is possible, still the willing of it is impossible, inasmuch as the willing of such a law conflicts with some other permanent appetite or wish within us. Examples of the first class of acts are suicide and false promises. Of a law of suicide Kant says—"A system of nature of which it should be a law to destroy life by means of the very feeling whose special nature it is to impel to the improvement of life" (that is, the will, desiring its own good, which object is, on Kant's own confession, present in every act of will) "would contradict itself, and therefore could not possibly exist as a universal law of nature." Examples of the second class of acts are idleness and want of kindness. Of the impossibility of willing idleness as a universal law he says—"As a rational

being he (man) necessarily wills that his faculties be developed since they serve him and have been given him for all sorts of possible purposes." These kinds of acts, therefore, are bad.

Criticism.—The reader should refer to our chapter on the Criterion of Morals in order to see how far Kant's criterion could possibly be brought into harmony with ours. We shall just call his attention here to one or two points that may be of use to him in making contrast of the two theories—(*a*) It is quite possible to wish that all men should commit suicide or make deceitful promises. Kant's claim that such a wish is impossible is pure imagination. We acknowledge, however, that in both these acts there is a contradiction which is not without its Ethical significance, for both acts contradict the natural objects of the faculty employed, as we pointed out concerning suicide and lying in our chapter on the Criterion. We do not find any such contradiction in the other two examples given by Kant. From the first two examples we may judge how close Kant was to the Scholastic system in some parts of his theory. (*b*) There are many morally good acts that, yet, could not possibly become a law for all. A healthy man has duties that could not bind a sick man. Our duties depend often on circumstances of person, time, and place. For these Kant makes no allowance. (*c*) Some courses that are morally good and lawful are good only as long as they *do not* become a universal law. It is lawful, for instance, for a man to remain a bachelor. But all could not do so.

Thus, the Categorical Imperative—Act so that the maxim of thy will may be capable of becoming a universal law—is not the ultimate criterion of good and evil in human conduct.

An interesting discussion on Kant's criterion is given in Prof. Rashdall's "Theory of Good and Evil" and in Prof. Simmel's "Kant-Sechzehn Vorlesungen."

NOTE.

On page 348 we argued that it would be absurd to base on our debt to the past a theory that our sole natural end is the good of present and future generations. To this argument some might return the following answer:—Present and future generations are the heirs of the past, and it is therefore right that they should benefit by the individual's indebtedness to the past. This answer, however, we cannot regard as

satisfactory. When a father leaves property to his children, no one argues that, because each child is indebted to his father, he is therefore indebted to his brothers and sisters also, who are, like himself, his father's heirs. That which each receives is his own. So also, whatever we have received of being, of character, of information from our ancestry should be regarded as our own property; and, therefore, if the analogy used by our opponents is to hold good, our debt to the past involves no duty of seeking the welfare or the happiness of our fellowmen. Our duty to our fellowmen is, as we have seen, based upon very different grounds from that of mere "inheritance."

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INDEX

ACT, acts, not states, the subject-matter of Ethics, 4; human acts, 30-46, *see Human*; act and end, 47-50.
ÆSTHETIC Morals, 498.
ALTRUISM, 146. *See also* '*Benevolence*' *and* '*Utilitarianism*.'
ANTHROPOCENTRISM, 161-2.
APPETITE, good as object of, 86-91; existence of natural app., 101-110; App. and Law, 110, 609-11.
ASSOCIATIONIST theory of duty, 230; of moral judgments, 402.
AUTONOMY (theory of) of Reason, 47, 615; of will, 619.

BEAUTY and goodness compared, 493, 498-503.
BENEVOLENCE, impulse of, 317-325.

CATEGORICAL character of duty, 210-212; categorical imperative of Kant, 210 (note), 616. *See also appendix to Vol. I.*
CIRCUMSTANCES, morality of, 93-95.
CHARACTER, place in Ethics, 4; and freedom, 177; and the Utilitarian theory, 345.
CONDUCT, as subject-matter of Ethics, 3.
CONSCIENCE, nature of, 448-451; erroneous theories on, 451-477; as God's voice, 472; a spring of action, 452; can it develop and decay? 519. *See also* '*Judgments*' (*moral*).
CONSEQUENCES, morality of, 37; of morality, 543-558.
CRITERIA of morality, meaning, 120; division of, 121; need of, 122; primary, 123-135; secondary 135-151; general remarks on, 151-153.
CULTURE, not our final end, 68.
CUSTOM, and moral distinctions, 112; and Law, 614.

DETERMINISM. *See* '*freedom*.'
DRUNKENNESS, 134.
DUTY, freedom and, 191; meaning of, 203; proof of, 205-210; absolute character of, 210-212; dependent on God, 218; erroneous theories of, 219-242; Kant's deduction of, 242.
DUTY FOR DUTY'S SAKE. *See* '*Stoic Formalism*.'

ELICITED and commanded acts, 30.
ELPISTIC theory, 29, 84.
END, place in Ethics, 4; end and act, 47-50; final end, 50 and foll.; objective final, 54-78; subjective final, 78-86.
ENVIRONMENT, adjustment to, as end, 69; adjustment to as criterion of good, 392-395.
ETHICS, definition and scope, 1-8; relation to other sciences, 8-14; method of, 14-23; possibility of a science of, 23-29.
EVOLUTION and character, 4; and end of man, 63; theory of duty, 230; systems of, Biological, 358-402; Psychological, 402-419; Transcendental, 420-447.
EXTRINSIC MORALITY, 116-118.

FACULTY, moral. *See* '*conscience*.'
FEAR, 44.
FEELINGS, moral, as criteria, 149; moral faculty, a group of (theory of), 458.
FORTITUDE, 583.

FREEDOM, relation to human act, 33-35; nature of, 169-174; ground of, 174-177; extent of, 178-180; freedom and Conservation of energy, 180; Kant on meaning of, 183; Hegel on meaning of, 184, 423; and morality, 189-202.

GOODNESS, meaning of, 87-94; determinants of, 94-101; natural distinction from evil, 101-110; theory that goodness implies struggle, 551.

HABITS, 559.
HAPPINESS, as subjective final end, 78-86; and virtue, *see* '*virtue*.' *See also* '*pleasure*.'
HEALTH, as criterion, 395-402.
HEDONISM, 58; statement of theory, 264; disproved, 268-277; arguments of, examined, 277-290; Psychological Hedonism, 277; Ethical Hedonism, 287; criterion of, 290; empirical and scientific Hedonism, 293; paradox of, 280; *usteron proteron* of, 285; and Utilitarianism, 325-333, and 353-356.
HISTORICAL, method, 14; school of Rights, 641.
HOLINESS, not our final end, 66.
HUMAN act, meaning of, 3-4; division of, 30-33; principles of and their opposites, 33-46.

IGNORANCE, 41; and freedom of moral offences, 215.
IMMANENCE and Transcendence, 611.
INMANENT heteronomy, theory of, 620.
IMPULSES (moral), theory of, 503.
IMPUTABILITY 182, 543; freedom and, 194.
INDEPENDENT morality, 118-119.
INDIFFERENT acts, 97-101
INDIVIDUAL acts, morality of, 95; Prof. Simmel on, 164.
INTENTION, 31; various kinds of, 36; effect of, 97.
INTUITIONIST method, 15, 16; theory of duty, 223; theory of moral judgments, how far true, 480-487; Perceptional Intuitionism, 491; Common Sense Intuitionism, 495.

JUDGMENTS, moral, nature of, 448-451; some self-evident, 481-487; origin of in child's mind, 511-518; origin of, according to positivists, 402; differences in, explained by Aquinas, 486; by Fichte, 468; by Hegel, 469; by Martineau, 504; by Elsenhans, 541.
JUSTICE, 586; its parts, 587; a natural virtue, 589; an objective virtue, 592.

KNOWLEDGE, relation to human act, 33; not our final end, 67.

LAW and fact in Ethics, 5; appetite and, 110; duty dependent on, 205; conception of, 597; eternal, 603; natural, 607; human, 612; theory of autonomy, 615-622.
LIE, 129.
LOGIC, relation to Ethics, 9, 27, 28.

MEAN, golden as criterion, 153; virtue a, 571-575.
MERIT, 194, 543.
METHOD of Ethics, 14-23.
MORAL Sense, 15, 16, 462-466.
MORAL Theology, relation to Ethics, 13.

NATURAL, meaning of word, 48, 103; natural distinctions of good and evil, 101-110; objections to theory of natural morals, 154-168; theory of natural selection applied to moral ideas, 412; same applied to Law, 599; natural law and its ground, 607.
NATURAL Philosophy compared with Ethics, 9.
NATURE does not act in vain, 72-75; modern conception of nature, 166.
NIRVANA, Schopenhauer's view on, compared with theory that the final end is an act, 82, 146.
NORMATIVE science, Ethics a, 5, 10.

OBLIGATION. *See Duty.*
OPTIMISM, Ethical, 143.
OUGHT and *is*, 5, 10, 28.

PASSION, relation to voluntariness, 43.
PITY, analysed, 323.
PLEASURE not our final end, 58, *also see Hedonism*; qualitative distinctions of, 298; pleasure associations as source of idea of good, 408-412.
POLITICAL Philosophy and Ethics, 11.
POSITIVIST theories of good and evil, 110-116; of duty, 228-236; of origin of moral judgments, 402; view of the moral beliefs of savages, 521, 532.
PRAGMATIST view of freedom, 244; defence of Utilitarianism, 339.
PRINCIPLES, moral, primary and secondary, 437; are they self-evident? 482-487.
PRUDENCE, 564-569.
PSYCHOLOGY and Ethics, 8.
PUNISHMENT, freedom and retributive punishment, 194; kinds of punishment, 554-558.

REASON, its relation to conduct, 2, 9; the moral faculty, 448; law a function of, 597.
RECTITUDE, 543.
RIGHTS, notion and properties of, 623-628; divisions of, 628; natural rights, 631-636; Right and morality, 636-638; Erroneous views on, 638-648.
ROMANTICISTS, 165.

SANCTION. *See* '*punishment.*'
SAVAGES, moral beliefs of, 23, 25, 521-539.
SELF-DETERMINATION, 169, 188.
SELF-EVIDENT truths. *See* '*principles.*'
SELF-REALISATION, not our end, 62, 66; Transcendental-Evolutionist view of, 438; scholastic view of, 440.
SOCIOLOGY, relation to Ethics, 11.
SOLIDARITY, theory of, applied to Utilitarian morals, 342.
STOIC FORMALISM, 245-263; paradox of, 254.
SUICIDE, 130.
SYNDERESIS, 509-542.

TEMPERANCE, 580.
TRANSCENDENTALISTS, method of 21; on freedom, 178; Transc. Evolution, 420-447.

UTILITARIANISM, criterion of, compared with Scholastic criterion, 135, 142; same compared with criterion of Evolution, 393; definition of, 304; how far true, 306; Disproof of, 308-316; arguments for, 316-351; and Hedonism, 325-333, also 353-356.

VALUES, theory of, 351-353.
VIOLENCE, 43.
VIRTUE, not our end, 56; relation to happiness, 243; Hume's meaning of, 453; and vices in general, 561; moral virtues, 569-578; cardinal virtues, 578-596.
VOLUNTARINESS, relation to human act, 33, 34; kinds of, 35; indirect, 37.

LIST OF AUTHORS REFERRED TO IN THIS WORK

ANTISTHENES, 226.

AQUINAS (St. Thomas), on scope of Ethics, 1-4; Eth. and Psychology, 9; Eth. and Political Philosophy, 11; on passion and voluntariness, 43; the ends of human action, 47-86 *passim;* good and evil, 87-100 *passim;* indifferent acts, 97; appetites, 103, 108; criterion of morals, 129, 132; morality of individual act, 166; freedom and morality, 169; nature of freedom, 172, 177; obligation, 206-209; relation of liberty to duty, 215; arguments against Hedonism, 269-277; Ethical Hedonism, 289; argument against the Utilitarian principle that the welfare of society is our final end, 308; the benevolent impulses, 317-324; on life as final end, 391; self-evident moral truths, 481-487; enumeration of the moral virtues, 575; on justice, 586; the eternal law, 603; the natural law, 607-612.

ARISTIPPUS, 265, 266.

ARISTOTLE, on object of ethics, 7; certitude in Ethics, 25; Ethics a teleological science, 47 *note;* nature does not act in vain, 72; man's final end, 79, 391; definition of good, 88-265; benevolent impulses, 321; definition of virtue, 573; enumeration of the moral virtues, 575; Justice, 587; otherwise referred to, 47, 132, 145, 151, 166, 267, 324, 333, 396, 434, 437, 438.

AUGUSTINE (St.), 143.

AVEBURY (Lord), 522-540 *passim.*

BAIN, 2, 30, 325, 335, 488.

BALDWIN, 349.

BALFOUR (A.), 27, 152.

BENEKE, 227.

BENTHAM, 31, 268, 306, 325.

BERGBOHM, 642.

BERGSON, 389.

BLACKSTONE, 613.

BRADLEY, 55, 62, 87, 422, 430, 435, 451.

BRANCO, 384.

BRENTANO, 352.

BROWN, 15, 456, 463.

BUNGE, 379.

BURLAMAQUI, 456.

BUSSEL, 26, 27, 29.

BUTLER, theory of punishment, 197; our knowledge of obligation, 224; Hedonism, 266; self-love and conscience, 267; Hed. paradox, 280; conscience, 451, 454, 472, 473; otherwise referred to, 25, 198, 355, 456, 556.

CAIRD (E.), 186, 473.

CAIRNES, 400.

CAJETAN, 71.

CALDERWOOD, 173, 200.

CARNEADES, 112, 116.

CARNERI, 342.

CASALIS, 524.

CATHREIN, 524, 642.

CLARKE, 16.

CLIFFORD, 466.

COMTE, 206.

COUSIN, 510.

CUDWORTH, 16, 267, 452, 490.

CUMBERLAND, 151, 267, 306, 488.

DAMASCENE (St.), 509.

DARWIN, 230, 379, 383, 413, 522.

DAWSON, 383.

De Lage, 385.
Denzinger, 117.
Dewey, 550.
Driesch, 380.
Du Bois Reymond, 377.

Ehrenfels, 351, 353.
Elsenhans, 469, 524, 541.
Epicurus, 267.
Espenberger, 59.

Fairbrother, 166, 423.
Fichte, on consciousness of duty, 224, 225; proof of Stoicism, 261 *note;* his system of Ethics, 445; on differences in men's moral judgments, 468; virtue and knowledge, 570 *note;* source of Right, 641; otherwise referred to, 21, 201, 259, 306, 421, 443, 451, 456, 510.
Flugel, 524, 536.
Fouillée, 214, 228, 322, 342, 349, 403, 503.

Gerard, 378, 379, 383.
Gizycki, 66, 336, 338, 355.
Goete, 165.
Green, 56, 84, 254, 282, 305, 423-438 *passim*, 466.
Grote, 20, 118, 511.
Guyau, 90, 222, 225, 228, 236-242, 342, 555.

Halleux, 385.
Hamilton, 173.
Harms, 101.
Hartmann (Ed. v.), 60, 114, 214, 271.
Hegel on freedom, 186-188; proof of Stoicism, 261 *note;* system of Ethics, 420-434; on conscience, 466; on differences in men's moral judgments, 469; on the formal validity of laws, 613 *note;* on coactive power of Right, 626; origin of Right, 640 *note*, 642; otherwise referred to, 21, 31, 201, 511, 551.
Herbart, 227, 424, 490, 498.
Hertwig, 379.
Hobbes, theory of good and evil, 111; Hedonism, 265; on pity, 325; Right and might, 628; origin of Right, 638, 641; otherwise referred to, 101, 116, 267, 510, 547.
Hume, on subject-matter of Ethics, 4; paradox of Stoicism, 254; selfishness, 268; moral faculty, 451, 453, 456, 464; on rights of justice, 590; on sentiment of justice, 593.
Hutcheson, on self-love, 267; moral faculty, 462, 463; intuitionism, 489, 490; Æsthetic morals, 500, 501; otherwise referred to, 16.
Huxley, 378, 379, 397, 398.

Ihering, 626, 628.

James, 244.
Jodl, 424, 478, 490, 499.
Jouffroi, 451.

Kant, nature of freedom, 173, 183; freedom and morality, 201; the consciousness of duty, 224; deduction of liberty from morality, 242; Stoic Formalism, 245; definition of beauty, 502; on merit, 549; autonomy of Reason, 615; perfect and imperfect duties, 631; relation of Right to morality, 636, 637; origin of Right, 638, 645; Categorical Imperative — see autonomy of Reason, also appendix to present Volume; otherwise mentioned, 2, 11, 13, 47, 66, 67, 84, 143, 151, 164-5-6, 197, 210, 215, 228, 335, 424, 444, 468, 642, 648.
Kittel, 541.
Krause, 477-8.

Laas, 468.
Lamenais (De), 147, 151-2.
Lantsheere (De), 213.
Lecky, 284.
Leibnitz, 511.
Lessius, 118.
Levy Bruhl, 6, 7, 11, 19, 112, 113, 161, 338, 402, 403, 437, 457, 521.
Lewes, 383.
Lipps, 220–222, 511, 619.
Littré, 371.
Livingstone, 523, 524, 525.
Locke, 197, 267, 355, 490.
Lombard (Peter), 59.

McCosh, 489.
MacIntosh, 451.
Mackenzie, 31, 466.
Maher, 44, 174, 180, 454.

MANDEVILLE, 325.
MANSELL, 489, 490.
MARTINEAU, on Pity, 324; on Evolutionist Ethics, 389; theory of intuition, 489, 490; æsthetic morality, 498; account and review of his system, 503–508; on merit, 548; otherwise referred to, 151, 443, 548.
MEINONG, 351.
MEYER, 76, 223.
MILL (James), 325.
MILL (J. S.), on origin of idea of duty, 230; Hedonism, 265, 268; proof that pleasure is man's final end, 277; qualitative distinctions between pleasures, 298; Utilitarianism, 306; his argument for Utilitarianism, 325; on pity, 325 *note*; reconciliation of Hed. and Util., 354; origin of moral judgments, 402, 403; Conscience, 456; otherwise referred to, 31, 151, 278, 393, 511, 593.
MILTON, 552.
MIVART, 383, 384.
MORE (Sir Thomas), 21, 451.
MUIRHEAD, 282.
MÜLLER, 384.

NEUKAMP, 632, 633, 635, 642.
NEWMAN, 476-7.
NIETZSCHE, 114, 165, 324, 398.

OCCAM, 116.

PALEY, 268, 355, 488.
PAULSEN, 80, 82, 115, 217, 231, 232.
PLATO, 21, 215, 267, 578.
PRESCOTT, 524, 528.
PUCHTA, 642.
PUFFENDORFF, 116, 511.

QUATREFAGES (De), 379.

RASHDALL, on difference of crime and disease, 199 *note*; disproof of Psychological Hedonism, 279, 280, 283; the hedonistic *usteron proteron*, 285; hedonistic argument for Utilitarianism, 326-333; intuitionism, 488-496; otherwise referred to, 278, 355.
RÄTZEL, 524-530 *passim*.
RAUBER, 349, 539, 540.
RÉE, 228, 521, 524, 532.
REID, 16, 174, 268, 441, 463, 488, 490.
RENOUVIER, 228.
RICKABY (Joseph), 213, 215, 440, 603.
ROBINET, 463.
ROUSSEAU, 111.
ROYCE, 349, 403, 456, 551.

SAVIGNY, 633, 635, 642.
SCHELLING, 224, 421, 503, 642.
SCHILLER, 188, 191, 498.
SCHLEIERMACHER, 165, 472.
SCHOPENHAUER, 4, 70, 80, 81, 146, 324, 424.
SCOTUS, 97.
SECRETAN, 228.
SETH (J.), 178, 287, 300, 355, 439, 488.
SHAFTESBURY, on selfish impulses, 267, 306, 317; Hedonism and Utilitarianism, 355; Æsthetic morals, 500, 501; merit and virtue, 548; otherwise referred to, 16, 101, 151, 245.
SIDGWICK, on natural morals, 154; on obligation, 214; on idea of obligation, 217; Psychological Hedonism, 282-3; Ethical Hedonism, 288; proof of Utilitarianism, 311; Benevolence, 320; from Hedonism to Utilitarianism, 326 *foll.*; origin and validity, 418; Intuitionism, 488, 496; punishment mainly prospective, 556; on Justice, 594; otherwise referred to, 16, 266, 298, 333, 355, 548, 613.
SIGWART, 20.
SIMMEL, 52, 80, 81, 82, 146, 164-5-6, 214, 230, 550.
SMITH (Adam), 15, 151.
SOCRATES, 215, 570, 578.
SORLEY, 6, 392, 413, 417, 435.
SPENCER, Altruism and pleasure, 146; origin of idea of duty, 229, 230; on Hedonistic Paradox, 281; scientific Hedonism, 295; selfishness and Benevolence, 355; general account of his theory, 358-402; origin of moral judgments, 403; otherwise referred to, 57, 84, 117, 147, 315, 421, 442, 510.
SPINOZA, 21, 101, 266, 324, 443, 478, 628, 638.

Stahl, 613, 636.
Stephen (Leslie), on final end, 52; on originality of the appetites, 76, 107; happiness and virtue, 147; punishment, 195; Benevolence, 322; indebtedness of individual to race, 344; general account of his theory, 368; on morality of individual acts, 401; on conscience, 456, 466; merit, 548; otherwise referred to, 159, 297, 342, 393, 397, 457, 466, 600.
Stirner, 265.
Suarez, 118.

Taparelli, 222.
Taylor (A. E.), 60, 231, 424, 435, 466.
Thomasius, 510, 626, 636, 637.
Tolstoi, 146.
Trendelenburg (or Tredelenberg), 342.
Tylor, 523.
Tyndall, 378, 379.

Virchow, 378, 379.

Waitz, 526, 536.
Warburton, 456.
Ward, W. G., 117.
Wallace, 383.
Walther, 638.
Wasmann, 379, 380, 385.
Westermarck, 524, 537.
Whewell, 245, 254, 261, 578.
Wilson, 380.
Wissmann, 527.
Wolff, 67.
Wundt, 19, 24, 173, 174, 230, 324, 452.

Zigliara, 76, 124.

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P. 7, l. 6, and elsewhere, *for* "Levy Bruhl" *read* "Lévy-Bruhl."

P. 43, l. 28, *for* "effect" *read* "affect."

P. 80, l. 27, *after* "will" *read* "can."

P. 114, l. 19, *for* "Ubermensch" *read* "Übermensch."

P. 162, *note*,* *for* "de" *read* "des."

P. 212, *note*, *for* "theoretico" *read* "teoretico."

P. 222, l. 30, *for* "Menschlichen" *read* "menschlichen."

P. 223, l. 7, *for* "Grundsatze" *read* "Grundsätze."

P. 228, l. 11, and in Index, *for* "Rée" *read* "Ree."

P. 250, *note*, *for* "beilaufiges ergebnitz" *read* "beilaüfiges Ergebnis."

P. 250, l. 25, p. 251, l. 8, and p. 252, l. 35, *for* "gluckwürdigkeit" *read* "Glückwürdigkeit," and *for* "gluckseligkeit" *read* "Gluckseligkeit."

P. 322, *note*, *for* "poles" *read* "pôles."

P. 342, *note*, *for* "Tredelenberg" *read* "Trendelenburg."

P. 351, l. 21, *for* "Ehrenfel's" *read* "Ehrenfels'."

P. 355, *note*, and elsewhere, *for* "Moral Philosophie" *read* "Moralphilosophie."

P. 385, *note*,* *for* "réconnais" *read* "reconnais."

P. 389, l. 41, *for* "mistakingly" *read* "mistakenly."

P. 390, l. 12, *for* "mosaique" *read* "mosaïque."

P. 398, l. 8, *for* "Nietzche" *read* "Nietzsche."

P. 524, *note*, and in Index, *for* "Flugel" *read* "Flügel,"

P. 621, l. 19, and l. 34, *for* "Völks" *read* "Volks."

P. 634, *note*, *for* "Rechtsveranderung" *read* "Rechtsveränderung."

P. 660, "Trendelenburg," *omit* "or Tredelenberg."

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